

1 HOLLY A. HOUSE (SB# 136045) hollyhouse@paulhastings.com
 2 KEVIN C. McCANN (SB# 120874) kevinmccann@paulhastings.com
 3 SEAN D. UNGER (SB# 231694) seanunger@paulhastings.com
 4 PAUL HASTINGS LLP
 5 55 Second Street
 6 Twenty-Fourth Floor
 7 San Francisco, CA 94105-3441
 8 Telephone: (415) 856-7000
 9 Facsimile: (415) 856-7100

6 LEE F. BERGER (SB# 222756) leeberger@paulhastings.com
 7 PAUL HASTINGS LLP
 8 875 15th Street, N.W.
 9 Washington, DC 20005
 10 Telephone: (202) 551-1772
 11 Facsimile: (202) 551-0172

12 Attorneys for Defendants
 13 LG Display Co., Ltd. and LG Display America

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

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

CASE NO. 3:11-cv-02591 SI

Case No. M 07-md-01827 SI

MDL No. 1827

19 This Document Relates to Individual Case
 20 No. 3:11-cv-02591 SI:

21 T-MOBILE U.S.A., INC.,

22 Plaintiff,

23 v.

24 AU OPTRONICS CORPORATION, et al.,

25 Defendants.

**DEFENDANT LG DISPLAY CO., LTD.'S
 AMENDED ANSWER TO PLAINTIFF'S
 AMENDED COMPLAINT AND
 COUNTERCLAIM FOR DECLARATIVE
 RELIEF**

Judge: Honorable Susan Y. Illston

1 Defendant LG Display Co., Ltd. (“LG Display Co.”) hereby answers and responds to the
2 allegations contained in T-Mobile U.S.A., Inc.’s (“Plaintiff’s”) First Amended Complaint
3 (“FAC”). LG Display Co. is responding to those allegations in the FAC that are directed toward
4 LG Display Co. Except as otherwise stated below, LG Display Co. is without sufficient
5 knowledge or information to form a belief concerning the truth of the allegations in the FAC that
6 are directed toward other defendants. LG Display Co. denies all allegations contained in the FAC
7 (including headings and captions) not specifically admitted in this Answer to the FAC
8 (hereinafter, “Answer”).

9 1. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
10 truth of the allegations in Paragraph 1 and on this basis denies those allegations.

11 2. The allegations contained in Paragraph 2 consist of the Plaintiff’s conclusions of
12 law, to which no response is required. To the extent that the allegations contained in Paragraph 2
13 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
14 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
15 extent that the allegations in Paragraph 2 are directed to LG Display Co. and are deemed to
16 require a response, they are denied.

17 3. The first sentence of Paragraph 3 contains Plaintiff’s characterization of its
18 terminology, to which no response is required. The second and third sentences of Paragraph 3
19 consist of the Plaintiff’s conclusions of law, to which no response is required. To the extent that
20 the allegations contained in Paragraph 3 are directed to other defendants, LG Display Co. lacks
21 knowledge or information sufficient to form a belief as to the truth of these allegations and on this
22 basis denies those allegations. To the extent that the allegations in Paragraph 3 are directed to LG
23 Display Co. and are deemed to require a response, they are denied.

24 4. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
25 truth of the allegations in the first and second sentences of Paragraph 4 and on this basis denies
26 those allegations. The third and fourth sentences of Paragraph 4 consist of the Plaintiff’s
27 conclusions of law, to which no response is required. To the extent that the allegations contained
28 in Paragraph 4 are directed to other defendants, LG Display Co. lacks knowledge or information

1 sufficient to form a belief as to the truth of these allegations and on this basis denies those
2 allegations. To the extent that the allegations in Paragraph 4 are directed to LG Display Co. and
3 are deemed to require a response, they are denied.

4 5. To the extent that the allegations contained in Paragraph 5 are directed to other
5 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
6 truth of the allegations contained in Paragraph 5 and on this basis denies those allegations. LG
7 Display Co. admits that it has entered into a plea agreement. To the extent that allegations in
8 Paragraph 5 are based on public statements or plea agreements, those statements and agreements
9 speak for themselves and no response is required.

10 6. To the extent that the allegations contained in Paragraph 6 are directed to other
11 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
12 truth of the allegations contained in Paragraph 6 and on this basis denies those allegations. To the
13 extent that the allegations in Paragraph 6 are based on plea agreements, those agreements speak
14 for themselves and no response is required. LG Display Co. admits that LG Display America
15 maintains its principal place of business in San Jose, California. To the extent that the allegations
16 in Paragraph 6 are based on plea agreements, those agreements speak for themselves and no
17 response is required. To the extent that the remaining allegations in Paragraph 6 are deemed to
18 require a response and are directed to LG Display Co. or LG Display America, Inc., they are
19 denied.

20 7. To the extent that the allegations contained in Paragraph 7 are directed to other
21 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
22 truth of the allegations contained in Paragraph 7 and on this basis denies those allegations. To the
23 extent that the allegations in Paragraph 7 are directed to LG Display Co. and are deemed to
24 require a response, they are denied.

25 8. The allegations contained in Paragraph 8 consist of Plaintiff's conclusions of law, to
26 which no response is required. To the extent that those allegations may be deemed to require a
27 response and are directed to other defendants, LG Display Co. lacks knowledge or information
28 sufficient to form a belief as to the truth of the allegations, and on this basis denies those

1 allegations. To the extent that the allegations contained in Paragraph 8 may be deemed to require
2 a response and are directed to LG Display Co., they are denied.

3 9. Paragraph 9 consists of Plaintiff's characterization of its claims, to which no
4 response is required.

5 10. Paragraph 10 consists of Plaintiff's characterization of its claims, to which no
6 response is required.

7 11. Paragraph 11 consists of Plaintiff's characterization of its claims, to which no
8 response is required.

9 12. Paragraph 12 consists of Plaintiff's characterization of its claims and Plaintiff's
10 conclusions of law, to which no response is required.

11 13. The allegations contained in Paragraph 13 consist of the Plaintiff's conclusions of
12 law, to which no response is required. To the extent that the allegations contained in Paragraph
13 13 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
14 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
15 extent that the allegations in Paragraph 13 are directed to LG Display Co. and are deemed to
16 require a response, they are denied.

17 14. Paragraph 14 consists of Plaintiff's conclusions of law, to which no response is
18 required.

19 15. Paragraph 15 consists of Plaintiff's conclusions of law, to which no response is
20 required.

21 16. Paragraph 16 consists of Plaintiff's conclusions of law, to which no response is
22 required.

23 17. LG Display Co. admits the allegations contained in the first, second, and third
24 sentences of Paragraph 17. The fourth sentence of Paragraph 17 is Plaintiff's characterization of
25 its terminology, to which no response is required.

26 18. The first sentence of Paragraph 18 consists of Plaintiff's characterization of its
27 terminology, to which no response is required. The second sentence of Paragraph 18 contains
28 Plaintiff's conclusions of law, to which no response is required.

1 19. Paragraph 19 consists of Plaintiff's characterization of its terminology, to which no
2 response is required.

3 20. Paragraph 20 consists of Plaintiff's characterization of its terminology, to which no
4 response is required.

5 21. Paragraph 21 consists of Plaintiff's characterization of its terminology, to which no
6 response is required.

7 22. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
8 truth of the allegations in the first, second, and third sentences of Paragraph 22 and on this basis
9 denies those allegations. The fourth sentence of Paragraph 22 consists of Plaintiff's conclusions
10 of law, to which no response is required.

11 23. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
12 truth of the allegations in the first sentence of Paragraph 23 and on this basis denies those
13 allegations. The second and third sentences of Paragraph 23 consist of Plaintiff's conclusions of
14 law, to which no response is required. The fourth sentence of Paragraph 23 consists of Plaintiff's
15 characterization of its terminology, to which no response is required.

16 24. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
17 truth of the allegations in the first sentence of Paragraph 24 and on this basis denies those
18 allegations. The allegations in the second sentence of Paragraph 24 consist of Plaintiff's
19 conclusions of law, to which no response is required.

20 25. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
21 truth of the allegations in Paragraph 25 and on this basis denies those allegations.

22 26. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
23 truth of the allegations in Paragraph 26 and on this basis denies those allegations.

24 27. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
25 truth of the allegations in Paragraph 27 and on this basis denies those allegations. To the extent
26 that the allegations contained in Paragraph 27 are directed to other defendants, LG Display Co.
27 lacks knowledge or information sufficient to form a belief as to the truth of these allegations and
28 on this basis denies those allegations. To the extent that the allegations in Paragraph 27 are

1 directed to LG Display Co. and are deemed to require a response, they are denied.

2 28. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
3 truth of the allegations in Paragraph 28 and on this basis denies those allegations.

4 29. Paragraph 29 is directed to another defendant. Accordingly, LG Display Co. lacks
5 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
6 Paragraph 29 and on this basis denies those allegations.

7 30. Paragraph 30 is directed to another defendant. Accordingly, LG Display Co. lacks
8 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
9 Paragraph 30 and on this basis denies those allegations.

10 31. Paragraph 31 is directed to another defendant. Accordingly, LG Display Co. lacks
11 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
12 Paragraph 31 and on this basis denies those allegations.

13 32. Paragraph 32 is directed to another defendant. Accordingly, LG Display Co. lacks
14 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
15 Paragraph 32 and on this basis denies those allegations.

16 33. Paragraph 33 is directed to another defendant. Accordingly, LG Display Co. lacks
17 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
18 Paragraph 33 and on this basis denies those allegations.

19 34. Paragraph 34 is directed to another defendant. Accordingly, LG Display Co. lacks
20 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
21 Paragraph 34 and on this basis denies those allegations.

22 35. Paragraph 35 is directed to another defendant. Accordingly, LG Display Co. lacks
23 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
24 Paragraph 35 and on this basis denies those allegations.

25 36. Paragraph 36 is directed to another defendant. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 36 and on this basis denies those allegations.

28 37. Paragraph 37 is directed to another defendant. Accordingly, LG Display Co. lacks

1 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
2 Paragraph 37 and on this basis denies those allegations.

3 38. Paragraph 38 is directed to other defendants. Accordingly, LG Display Co. lacks
4 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
5 Paragraph 38 and on this basis denies those allegations.

6 39. Paragraph 39 is directed to another defendant. Accordingly, LG Display Co. lacks
7 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
8 Paragraph 39 and on this basis denies those allegations.

9 40. Paragraph 40 is directed to another defendant. Accordingly, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 40 and on this basis denies those allegations.

12 41. Paragraph 41 is directed to another defendant. Accordingly, LG Display Co. lacks
13 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
14 Paragraph 41 and on this basis denies those allegations.

15 42. Paragraph 42 is directed to another defendant. Accordingly, LG Display Co. lacks
16 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
17 Paragraph 42 and on this basis denies those allegations.

18 43. Paragraph 43 is directed to another defendant. Accordingly, LG Display Co. lacks
19 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
20 Paragraph 43 and on this basis denies those allegations.

21 44. Paragraph 44 is directed to another defendant. Accordingly, LG Display Co. lacks
22 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
23 Paragraph 44 and on this basis denies those allegations.

24 45. Paragraph 45 is directed to another defendant. Accordingly, LG Display Co. lacks
25 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
26 Paragraph 45 and on this basis denies those allegations.

27 46. Paragraph 46 is directed to another defendant. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 46 and on this basis denies those allegations.

2 47. Paragraph 47 is directed to another defendant. Accordingly, LG Display Co. lacks
3 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
4 Paragraph 47 and on this basis denies those allegations.

5 48. Paragraph 48 is directed to another defendant. Accordingly, LG Display Co. lacks
6 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
7 Paragraph 48 and on this basis denies those allegations.

8 49. Paragraph 49 is directed to another defendant. Accordingly, LG Display Co. lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
10 Paragraph 49 and on this basis denies those allegations.

11 50. Paragraph 50 is directed to another defendant. Accordingly, LG Display Co. lacks
12 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
13 Paragraph 50 and on this basis denies those allegations.

14 51. Paragraph 51 is directed to another defendant. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 51 and on this basis denies those allegations.

17 52. Paragraph 52 is directed to another defendant. Accordingly, LG Display Co. lacks
18 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
19 Paragraph 52 and on this basis denies those allegations.

20 53. LG Display Co. admits that it was formerly known as LG.Philips LCD Co., Ltd.
21 LG Display Co. objects to the first sentence of Paragraph 53 to the extent that the term “joint
22 venture” is used as a legal term of art, and on that basis denies the allegations contained in the
23 first sentence of Paragraph 53. LG Display Co. denies the allegations in the second sentence of
24 Paragraph 53 regarding the location of its principal place of business. LG Display Co. admits that
25 it sold TFT-LCD panels, but denies any allegation as to LCD Products, as LG Display Co. has
26 never manufactured, sold or distributed LCD Products. The remaining allegations contained in
27 Paragraph 53 are directed at other corporate entities, and accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of such allegations and on this

1 basis denies them.

2 54. LG Display Co. admits that it was formerly known as LG.Philips LCD Co., Ltd.
3 LG Display Co. denies the allegations in the first sentence of Paragraph 54 regarding the location
4 of LG Display America, Inc.'s principal place of business. LG Display Co. admits that LG
5 Display America sold TFT-LCD panels, but denies any allegation as to LCD Products, as LG
6 Display America has never sold or distributed LCD Products. To the extent that the remaining
7 allegations in Paragraph 54 may be deemed to require a response, they are denied.

8 55. The first sentence of Paragraph 55 consists of Plaintiff's characterization of its
9 terminology, to which no response is required. The remainder of Paragraph 55 contains
10 Plaintiffs' conclusions of law, to which no response is required.

11 56. Paragraph 56 is directed to another defendant. Accordingly, LG Display Co. lacks
12 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
13 Paragraph 56 and on this basis denies those allegations.

14 57. LG Display Co. admits that it was formerly known as LG.Philips LCD Co., Ltd.
15 LG Display Co. objects to Paragraph 57 to the extent that the term "joint venture" is used as a
16 legal term of art, and on that basis denies the allegations contained in Paragraph 57. To the extent
17 the allegations in Paragraph 57 incorporate Plaintiff's term "LCDs," LG Display Co. denies the
18 allegations on the basis that they are vague. LG Display Co. further denies the allegations in
19 Paragraph 57 on the basis that they are argumentative. Further, to the extent that the allegations
20 contained in Paragraph 57 are directed to other defendants, LG Display Co. lacks knowledge or
21 information sufficient to form a belief as to the truth of these allegations and on this basis denies
22 those allegations. To the extent that the allegations in the sixth sentence of Paragraph 57 are
23 based on plea agreements, those agreements speak for themselves and no response is required.
24 The allegations contained in the seventh sentence of Paragraph 57 consist of Plaintiff's
25 conclusions of law, to which no response is required. To the extent that the allegations in
26 Paragraph 57 are directed to LG Display Co. and are deemed to require a response, they are
27 denied.

28 58. Paragraph 58 is directed to another defendant. Accordingly, LG Display Co. lacks

1 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
2 Paragraph 58 and on this basis denies those allegations.

3 59. Paragraph 59 is directed to another defendant. Accordingly, LG Display Co. lacks
4 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
5 Paragraph 59 and on this basis denies those allegations.

6 60. Paragraph 60 is directed to another defendant. Accordingly, LG Display Co. lacks
7 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
8 Paragraph 60 and on this basis denies those allegations.

9 61. Paragraph 61 is directed to another defendant. Accordingly, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 61 and on this basis denies those allegations.

12 62. Paragraph 62 is directed to another defendant. Accordingly, LG Display Co. lacks
13 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
14 Paragraph 62 and on this basis denies those allegations.

15 63. Paragraph 63 is directed to another defendant. Accordingly, LG Display Co. lacks
16 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
17 Paragraph 63 and on this basis denies those allegations.

18 64. Paragraph 64 is directed to another defendant. Accordingly, LG Display Co. lacks
19 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
20 Paragraph 64 and on this basis denies those allegations.

21 65. Paragraph 65 is directed to another defendant. Accordingly, LG Display Co. lacks
22 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
23 Paragraph 65 and on this basis denies those allegations.

24 66. Paragraph 66 is directed to another defendant. Accordingly, LG Display Co. lacks
25 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
26 Paragraph 66 and on this basis denies those allegations.

27 67. Paragraph 67 is directed to another defendant. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 67 and on this basis denies those allegations.

2 68. Paragraph 68 is directed to another defendant. Accordingly, LG Display Co. lacks
3 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
4 Paragraph 68 and on this basis denies those allegations.

5 69. Paragraph 69 is directed to another defendant. Accordingly, LG Display Co. lacks
6 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
7 Paragraph 69 and on this basis denies those allegations.

8 70. Paragraph 70 is directed to another defendant. Accordingly, LG Display Co. lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
10 Paragraph 70 and on this basis denies those allegations.

11 71. Paragraph 71 is directed to another defendant. Accordingly, LG Display Co. lacks
12 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
13 Paragraph 71 and on this basis denies those allegations.

14 72. Paragraph 72 is directed to another defendant. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 72 and on this basis denies those allegations.

17 73. Paragraph 73 is directed to another defendant. Accordingly, LG Display Co. lacks
18 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
19 Paragraph 73 and on this basis denies those allegations.

20 74. Paragraph 74 is directed to another defendant. Accordingly, LG Display Co. lacks
21 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
22 Paragraph 74 and on this basis denies those allegations.

23 75. Paragraph 75 is directed to another defendant. Accordingly, LG Display Co. lacks
24 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
25 Paragraph 75 and on this basis denies those allegations.

26 76. Paragraph 76 is directed to another defendant. Accordingly, LG Display Co. lacks
27 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
28 Paragraph 76 and on this basis denies those allegations.

1 77. Paragraph 77 is directed to another defendant. Accordingly, LG Display Co. lacks
2 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
3 Paragraph 77 and on this basis denies those allegations.

4 78. Paragraph 78 is directed to another defendant. Accordingly, LG Display Co. lacks
5 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
6 Paragraph 78 and on this basis denies those allegations.

7 79. Paragraph 79 is directed to another defendant. Accordingly, LG Display Co. lacks
8 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
9 Paragraph 79 and on this basis denies those allegations.

10 80. Paragraph 80 consists of Plaintiff's conclusions of law, to which no response is
11 required.

12 81. Paragraph 81 consists of Plaintiff's conclusions of law, to which no response is
13 required.

14 82. Paragraph 82 contains Plaintiff's conclusions of law, to which no response is
15 required. To the extent that Paragraph 82 is directed to other corporate entities, LG Display Co.
16 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
17 contained in Paragraph 82 and on this basis denies those allegations.

18 83. Paragraph 83 consists of Plaintiff's conclusions of law, to which no response is
19 required.

20 84. Paragraph 84 consists of Plaintiff's conclusions of law, to which no response is
21 required.

22 85. LG Display Co. admits the first sentence of Paragraph 85. The remaining
23 allegations contained in Paragraph 85 are denied on the basis that they are vague.

24 86. The allegations contained in Paragraph 86 consist of the Plaintiff's conclusions of
25 law, to which no response is required. To the extent that the allegations in Paragraph 86 are
26 deemed to require a response, they are denied.

27 87. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
28 truth of the allegations in Paragraph 87 and on this basis denies those allegations. To the extent

1 that the allegations in Paragraph 87 are deemed to require a response, they are denied on the basis
2 that they are vague.

3 88. Paragraph 88 contains Plaintiff's characterizations, to which no response is
4 required.

5 89. To the extent that the allegations contained in Paragraph 89 are directed to other
6 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
7 truth of these allegations and on this basis denies those allegations. To the extent that the
8 allegations in Paragraph 89 are directed to LG Display Co. and are deemed to require a response,
9 they are denied on the basis that they are vague.

10 90. The allegations contained in the first, fourth, and fifth sentences of Paragraph 90
11 consist of Plaintiff's conclusions of law, to which no response is required. LG Display Co. denies
12 the allegations contained in the second and third sentences of Paragraph 90 on the basis that they
13 are vague.

14 91. LG Display Co. denies the allegations contained in Paragraph 91.

15 92. LG Display Co. denies the first sentence of Paragraph 92. The second sentence of
16 Paragraph 92 contains Plaintiff's conclusions of law, to which no response is required.

17 93. LG Display Co. denies the allegations contained in Paragraph 93.

18 94. LG Display Co. denies the allegations contained in the first sentence of Paragraph
19 94 on the basis that they are vague. Further, Paragraph 94 contains Plaintiff's characterizations
20 and is argumentative, to which no response is required. To the extent that the allegations in
21 Paragraph 94 are directed to LG Display Co. and are deemed to require a response, they are
22 denied.

23 95. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
24 truth of the allegations contained in Paragraph 95 and on this basis denies them.

25 96. LG Display Co. denies the allegations contained in Paragraph 96.

26 97. LG Display Co. admits that several trade organizations put on industry-wide
27 meetings. To the extent that the remaining allegations contained in Paragraph 97 are directed to
28 other defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to

1 the truth of the allegations contained in Paragraph 97 and on this basis denies those allegations.
2 The last sentence of Paragraph 97 contains Plaintiff's conclusions of law, to which no response is
3 required. To the extent that the remaining allegations in Paragraph 97 are directed to LG Display
4 Co., they are denied.

5 98. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
6 truth of the allegations contained in the first sentence of Paragraph 98 and on this basis denies
7 them. The second and third sentences of Paragraph 98 contain Plaintiff's conclusions of law, to
8 which no response is required. To the extent the remainder of Paragraph 98 is directed to other
9 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
10 truth of the allegations contained in Paragraph 98 and on this basis denies those allegations. To
11 the extent that the remaining allegations in Paragraph 98 are directed to LG Display Co. and are
12 deemed to require a response, they are denied.

13 99. The second and third sentences of Paragraph 99 are directed to other defendants.
14 Accordingly, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
15 truth of the allegations contained in Paragraph 99 and on this basis denies those allegations. To
16 the extent that the remaining allegations in Paragraph 99 are directed to LG Display Co. and are
17 deemed to require a response, they are denied.

18 100. Paragraph 100 contains Plaintiff's conclusions of law and is argumentative, to
19 which no response is required. To the extent the remainder of Paragraph 100 is directed to other
20 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
21 truth of the allegations contained in Paragraph 100 and on this basis denies those allegations. To
22 the extent that the remaining allegations in Paragraph 100 are directed to LG Display Co. and are
23 deemed to require a response, they are denied.

24 101. Paragraph 101 is directed to other defendants. Accordingly, LG Display Co. lacks
25 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
26 Paragraph 101 and on this basis denies those allegations.

27 102. Paragraph 102 is directed to other defendants. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 102 and on this basis denies those allegations.

2 103. Paragraph 103 is directed to other defendants. Accordingly, LG Display Co. lacks
3 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
4 Paragraph 103 and on this basis denies those allegations. To the extent the allegations in
5 Paragraph 103 incorporate Plaintiff's term "LG," LG Display Co. denies the allegations on the
6 basis that they are vague.

7 104. Paragraph 104 is directed to other defendants. Accordingly, LG Display Co. lacks
8 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
9 Paragraph 104 and on this basis denies those allegations. To the extent the allegations in
10 Paragraph 104 incorporate Plaintiff's term "LG," LG Display Co. denies the allegations on the
11 basis that they are vague. To the extent that the remaining allegations in Paragraph 104 are
12 directed to LG Display Co. and are deemed to require a response, they are denied.

13 105. Paragraph 105 is directed to other defendants. Accordingly, LG Display Co. lacks
14 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
15 Paragraph 105 and on this basis denies those allegations.

16 106. To the extent that Paragraph 106 is directed to another defendant, LG Display Co.
17 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
18 contained in Paragraph 106 and on this basis denies those allegations. To the extent the
19 allegations in Paragraph 106 incorporate Plaintiff's term "LG," LG Display Co. denies the
20 allegations on the basis that they are vague.

21 107. Paragraph 107 is directed to other defendants. Accordingly, LG Display Co. lacks
22 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
23 Paragraph 107 and on this basis denies those allegations.

24 108. Paragraph 108 is directed to other defendants. Accordingly, LG Display Co. lacks
25 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
26 Paragraph 108 and on this basis denies those allegations.

27 109. Paragraph 109 is directed to other defendants. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 109 and on this basis denies those allegations.

2 110. Paragraph 110 is directed to other defendants. Accordingly, LG Display Co. lacks
3 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
4 Paragraph 110 and on this basis denies those allegations.

5 111. Paragraph 111 is directed to other defendants. Accordingly, LG Display Co. lacks
6 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
7 Paragraph 111 and on this basis denies those allegations.

8 112. Paragraph 112 contains Plaintiff's conclusions of law, to which no response is
9 required. To the extent that Paragraph 112 is directed to other defendants, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 112 and on this basis denies those allegations. To the extent that the remaining
12 allegations in Paragraph 112 are directed to LG Display Co. and are deemed to require a
13 response, they are denied.

14 113. LG Display Co. admits that certain employees of LG Display Co. participated in
15 meetings referred to as "crystal meetings." To the extent that the allegations contained in
16 Paragraph 113 are directed to other defendants, LG Display Co. lacks knowledge or information
17 sufficient to form a belief as to the truth of the allegations contained in Paragraph 113 and on this
18 basis denies those allegations. To the extent that the remaining allegations in Paragraph 113 are
19 directed at LG Display Co., and are deemed to require a response, they are denied.

20 114. LG Display Co. admits that certain employees of LG Display Co. participated in
21 meetings referred to as "crystal meetings." LG Display Co. denies that LG Display Co.'s CEO or
22 President attended any crystal meeting, including "CEO" or "top" meetings. To the extent that
23 the allegations contained in Paragraph 114 are directed to other defendants, LG Display Co. lacks
24 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
25 Paragraph 114 and on this basis denies those allegations. To the extent that the remaining
26 allegations in Paragraph 114 are directed at LG Display Co., and are deemed to require a
27 response, they are denied.

28 115. LG Display Co. denies the allegations contained in Paragraph 115.

1 116. LG Display Co. denies the allegations contained in Paragraph 116.

2 117. LG Display Co. denies the allegations contained in Paragraph 117.

3 118. LG Display Co. denies the allegations contained in Paragraph 118.

4 119. LG Display Co. denies the allegations contained in Paragraph 119.

5 120. LG Display Co. denies the allegations contained in Paragraph 120. Specifically, to
6 the extent the allegations in Paragraph 120 incorporate Plaintiff's term "LCD," LG Display Co.
7 denies the allegations on the basis that they are vague.

8 121. LG Display Co. denies the allegations contained in Paragraph 121. Specifically, to
9 the extent the allegations in Paragraph 121 incorporate Plaintiff's term "LCDs," LG Display Co.
10 denies the allegations on the basis that they are vague.

11 122. LG Display Co. denies the allegations contained in Paragraph 122.

12 123. LG Display Co. denies the allegations contained in Paragraph 123.

13 124. Paragraph 124 is directed to other defendants. Accordingly, LG Display Co. lacks
14 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
15 Paragraph 124 and on this basis denies those allegations.

16 125. Paragraph 125 is directed to other defendants. Accordingly, LG Display Co. lacks
17 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
18 Paragraph 125 and on this basis denies those allegations.

19 126. Paragraph 126 is directed to other defendants. Accordingly, LG Display Co. lacks
20 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
21 Paragraph 126 and on this basis denies those allegations.

22 127. To the extent that the allegations contained in Paragraph 127 are directed to other
23 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
24 truth of the allegations contained in Paragraph 127 and on this basis denies those allegations.

25 128. Paragraph 128 is directed to another defendant. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 128 and on this basis denies those allegations.

28 129. To the extent that Paragraph 129 is directed to other defendants, LG Display Co.

1 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
2 contained in Paragraph 129 and on this basis denies those allegations. Further, to the extent the
3 allegations in Paragraph 129 incorporate Plaintiff’s term “LCDs” and are directed to LG Display
4 Co., those allegations are denied on the basis that they are vague.

5 130. Paragraph 130 is directed to another defendant. Accordingly, LG Display Co. lacks
6 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
7 Paragraph 130 and on this basis denies those allegations.

8 131. Paragraph 131 is directed to another defendant. Accordingly, LG Display Co. lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
10 Paragraph 131 and on this basis denies those allegations.

11 132. To the extent that Paragraph 132 is directed to other defendants, LG Display Co.
12 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
13 contained in Paragraph 132 and on this basis denies those allegations. Further, to the extent the
14 allegations in Paragraph 132 incorporate Plaintiff’s term “LCDs” and are directed to LG Display,
15 LG Display Co. denies the allegations on the basis that they are vague.

16 133. Paragraph 133 is directed to other defendants. Accordingly, LG Display Co. lacks
17 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
18 Paragraph 133 and on this basis denies those allegations.

19 134. Paragraph 134 is directed to other defendants. Accordingly, LG Display Co. lacks
20 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
21 Paragraph 134 and on this basis denies those allegations.

22 135. Paragraph 135 is directed to another defendant. Accordingly, LG Display Co. lacks
23 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
24 Paragraph 135 and on this basis denies those allegations.

25 136. Paragraph 136 is directed to other defendants. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 136 and on this basis denies those allegations.

28 137. To the extent that Paragraph 137 is directed to other defendants, LG Display Co.

1 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
2 contained in Paragraph 137 and on this basis denies those allegations. Further, to the extent the
3 allegations in Paragraph 137 incorporate Plaintiff’s term “LCD” and are directed to LG Display,
4 LG Display Co. denies the allegations on the basis that they are vague.

5 138. To the extent that Paragraph 138 is directed to other defendants, LG Display Co.
6 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
7 contained in Paragraph 138 and on this basis denies those allegations. To the extent that the
8 remaining allegations in Paragraph 138 are directed to LG Display Co. and are deemed to require
9 a response, they are denied.

10 139. LG Display Co. denies the allegations contained in Paragraph 139.

11 140. Paragraph 140 is directed to another defendant. Accordingly, LG Display Co. lacks
12 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
13 Paragraph 140 and on this basis denies those allegations.

14 141. Paragraph 141 is directed to other defendants. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 141 and on this basis denies those allegations.

17 142. LG Display Co. admits that it was formerly known as LG.Philips LCD Co., Ltd.
18 LG Display Co. objects to the first sentence of Paragraph 142 to the extent that the term “joint
19 venture” is used as a legal term of art, and on that basis denies the allegations contained in the
20 first sentence of Paragraph 142. LG Display Co. denies the allegations contained in the third and
21 fourth sentences of Paragraph 142. The remaining allegations of Paragraph 142 contain
22 Plaintiff’s conclusions of law, to which no response is required. To the extent the allegations
23 contained in Paragraph 142 are directed at other corporate entities, LG Display Co. lacks
24 knowledge or information sufficient to form a belief as to the truth of such allegations and on this
25 basis denies them. To the extent that the remaining allegations in Paragraph 142 are directed at
26 LG Display Co., and are deemed to require a response, they are denied. LG Display Co.
27 specifically denies allegations incorporating Plaintiff’s term “LCD” on the basis that they are
28 vague.

1 143. Paragraph 143 is directed to other defendants. Accordingly, LG Display Co. lacks
2 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
3 Paragraph 143 and on this basis denies those allegations.

4 144. Paragraph 144 is directed to other defendants. Accordingly, LG Display Co. lacks
5 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
6 Paragraph 144 and on this basis denies those allegations.

7 145. Paragraph 145 is directed to another defendant. Accordingly, LG Display Co. lacks
8 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
9 Paragraph 145 and on this basis denies those allegations.

10 146. Paragraph 146 is directed to another defendant. Accordingly, LG Display Co. lacks
11 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
12 Paragraph 146 and on this basis denies those allegations. To the extent that the remaining
13 allegations in Paragraph 146 are directed to LG Display Co. and incorporate Plaintiff's terms
14 "TFT-LCDs" and "STN-LCDs," they are denied on the basis that they are vague.

15 147. Paragraph 147 is directed to another defendant. Accordingly, LG Display Co. lacks
16 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
17 Paragraph 147 and on this basis denies those allegations. To the extent that the remaining
18 allegations in Paragraph 147 are directed to LG Display Co., and incorporate Plaintiff's term
19 "LCD," they are denied on the basis that they are vague.

20 148. Paragraph 148 is directed to other defendants. Accordingly, LG Display Co. lacks
21 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
22 Paragraph 148 and on this basis denies those allegations.

23 149. Paragraph 149 is directed to other defendants. Accordingly, LG Display Co. lacks
24 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
25 Paragraph 149 and on this basis denies those allegations.

26 150. Paragraph 150 is directed to another defendant. Accordingly, LG Display Co. lacks
27 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
28 Paragraph 150 and on this basis denies those allegations. To the extent that the remaining

1 allegations in Paragraph 150 are directed to LG Display Co., and incorporate Plaintiff's term
2 "LCDs," they are denied on the basis that they are vague.

3 151. Paragraph 151 is directed to other corporate entities. Accordingly, LG Display Co.
4 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
5 contained in Paragraph 151 and on this basis denies those allegations.

6 152. Paragraph 152 is directed to another corporate entity. Accordingly, LG Display Co.
7 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
8 contained in Paragraph 152 and on this basis denies those allegations.

9 153. Paragraph 153 is directed to another corporate entity. Accordingly, LG Display Co.
10 lacks knowledge or information sufficient to form a belief as to the truth of the allegations
11 contained in Paragraph 153 and on this basis denies those allegations.

12 154. Paragraph 154 is directed to another defendant. Accordingly, LG Display Co. lacks
13 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
14 Paragraph 154 and on this basis denies those allegations. To the extent that the remaining
15 allegations in Paragraph 154 are directed to LG Display Co. and are deemed to require a
16 response, they are denied.

17 155. To the extent that the allegations contained in Paragraph 155 are directed to other
18 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
19 truth of the allegations contained in Paragraph 155 and on this basis denies those allegations. To
20 the extent that the allegations in Paragraph 155 are directed to LG Display Co., they are denied.

21 156. To the extent that the allegations contained in Paragraph 156 are directed to other
22 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
23 truth of the allegations contained in Paragraph 156 and on this basis denies those allegations. To
24 the extent that the remaining allegations in Paragraph 156 are directed at LG Display Co., they
25 are denied.

26 157. The first sentence of Paragraph 157 contains Plaintiff's characterizations and is
27 argumentative, to which no response is required. To the extent that the allegations contained in
28 Paragraph 157 are directed to other defendants, LG Display Co. lacks knowledge or information

1 sufficient to form a belief as to the truth of the allegations contained in Paragraph 157 and on this
2 basis denies those allegations. To the extent that the remaining allegations in Paragraph 157 are
3 directed at LG Display Co., they are denied.

4 158. To the extent that the allegations contained in Paragraph 158 are directed to other
5 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
6 truth of the allegations contained in Paragraph 158 and on this basis denies those allegations. To
7 the extent that the remaining allegations in Paragraph 158 are directed to LG Display Co. and are
8 deemed to require a response, they are denied.

9 159. To the extent that the allegations contained in Paragraph 159 are directed to other
10 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
11 truth of the allegations contained in Paragraph 159 and on this basis denies those allegations. To
12 the extent that the remaining allegations in Paragraph 159 are directed to LG Display Co. and are
13 deemed to require a response, they are denied.

14 160. To the extent that the allegations contained in Paragraph 160 are directed to other
15 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
16 truth of the allegations contained in Paragraph 160 and on this basis denies those allegations. To
17 the extent that the remaining allegations in Paragraph 160 are directed to LG Display Co. and are
18 deemed to require a response, they are denied.

19 161. To the extent that the allegations contained in Paragraph 161 are directed to other
20 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
21 truth of the allegations contained in Paragraph 161 and on this basis denies those allegations. To
22 the extent that the allegations in Paragraph 161 are directed to LG Display Co., they are denied.

23 162. To the extent that the allegations contained in Paragraph 162 are directed to other
24 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
25 truth of the allegations contained in Paragraph 162 and on this basis denies those allegations. To
26 the extent that the allegations in Paragraph 162 are directed to LG Display Co., they are denied.

27 163. To the extent that the allegations contained in Paragraph 163 are directed to other
28 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the

1 truth of the allegations contained in Paragraph 163 and on this basis denies those allegations. To
2 the extent that the allegations in Paragraph 163 are based on plea agreements, those agreements
3 speak for themselves and no response is required. To the extent the allegations in Paragraph 163
4 incorporate Plaintiff's term "LG," LG Display Co. denies the allegations on the basis that they are
5 vague. To the extent that the remaining allegations in Paragraph 163 are directed to LG Display
6 Co. and are deemed to require a response, they are denied.

7 164. The allegations contained in Paragraph 164 consist of the Plaintiff's conclusions of
8 law, to which no response is required. To the extent that the allegations contained in Paragraph
9 164 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
10 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
11 extent that the allegations in Paragraph 164 are directed to LG Display Co. and are deemed to
12 require a response, they are denied.

13 165. Paragraph 165 is directed to another defendant. Accordingly, LG Display Co. lacks
14 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
15 Paragraph 165 and on this basis denies those allegations.

16 166. Paragraph 166 is directed to another defendant. Accordingly, LG Display Co. lacks
17 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
18 Paragraph 166 and on this basis denies those allegations.

19 167. Paragraph 167 is directed to another defendant. Accordingly, LG Display Co. lacks
20 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
21 Paragraph 167 and on this basis denies those allegations.

22 168. Paragraph 168 is directed to another defendant. Accordingly, LG Display Co. lacks
23 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
24 Paragraph 168 and on this basis denies those allegations.

25 169. Paragraph 169 is directed to other defendants. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 169 and on this basis denies those allegations.

28 170. LG Display Co. admits that LG Display America maintains its principal place of

1 business in San Jose, California. To the extent that the allegations in Paragraph 170 are based on
2 plea agreements, those agreements speak for themselves and no response is required. To the
3 extent that the allegations contained in Paragraph 170 are directed to other defendants, LG
4 Display Co. lacks knowledge or information sufficient to form a belief as to the truth of these
5 allegations and on this basis denies those allegations. To the extent that the remaining allegations
6 in Paragraph 170 are deemed to require a response and are directed to LG Display Co. or LG
7 Display America, Inc., they are denied.

8 171. Paragraph 171 is directed to another defendant. Accordingly, LG Display Co. lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
10 Paragraph 171 and on this basis denies those allegations.

11 172. Paragraph 172 is directed to another defendant. Accordingly, LG Display Co. lacks
12 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
13 Paragraph 172 and on this basis denies those allegations.

14 173. Paragraph 173 is directed to another defendant. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 173 and on this basis denies those allegations.

17 174. LG Display Co. admits the first sentence of Paragraph 174. The second sentence of
18 Paragraph 174 is based on public statements or records, and those statements and records speak
19 for themselves and no response is required.

20 175. Paragraph 175 is based on public statements or records, and those statements and
21 records speak for themselves and no response is required.

22 176. To the extent that the allegations contained in Paragraph 176 are directed to other
23 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
24 truth of the allegations contained in Paragraph 176 and on this basis denies those allegations. To
25 the extent that allegations in Paragraph 176 are based on public statements or plea agreements,
26 those statements and agreements speak for themselves and no response is required.

27 177. Paragraph 177 is directed to another defendant. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 177 and on this basis denies those allegations.

2 178. LG Display Co. admits that it has entered into a plea agreement. To the extent that
3 allegations in Paragraph 178 are based on public statements or plea agreements, those statements
4 and agreements speak for themselves and no response is required.

5 179. To the extent that allegations in Paragraph 179 are based on public statements or
6 plea agreements, those statements and agreements speak for themselves and no response is
7 required. LG Display Co. admits that Chung Suk "C.S." Chung, a former executive from LG
8 Display Co., has pleaded guilty. To the extent that the remaining allegations in Paragraph 179 are
9 directed to LG Display Co. and deemed to require a response, they are denied.

10 180. To the extent that allegations in Paragraph 180 are based on public statements or
11 plea agreements, those statements and agreements speak for themselves and no response is
12 required. LG Display Co. admits that Bock Kwon, an executive from LG Display Co., has
13 pleaded guilty. To the extent that the remaining allegations in Paragraph 180 are directed to LG
14 Display Co. and deemed to require a response, they are denied.

15 181. To the extent that allegations in Paragraph 181 are based on indictments or public
16 statements, those indictments and statements speak for themselves and no response is required.
17 To the extent that the remaining allegations in Paragraph 181 are directed to LG Display Co. and
18 deemed to require a response, they are denied.

19 182. Paragraph 182 is directed to another defendant. Accordingly, LG Display Co. lacks
20 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
21 Paragraph 182 and on this basis denies those allegations.

22 183. Paragraph 183 is directed to another defendant. Accordingly, LG Display Co. lacks
23 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
24 Paragraph 183 and on this basis denies those allegations.

25 184. Paragraph 184 is directed to another defendant. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 184 and on this basis denies those allegations.

28 185. Paragraph 185 is directed to another defendant. Accordingly, LG Display Co. lacks

1 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
2 Paragraph 185 and on this basis denies those allegations.

3 186. Paragraph 186 is directed to another defendant. Accordingly, LG Display Co. lacks
4 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
5 Paragraph 186 and on this basis denies those allegations.

6 187. Paragraph 187 is directed to another defendant. Accordingly, LG Display Co. lacks
7 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
8 Paragraph 187 and on this basis denies those allegations.

9 188. Paragraph 188 is directed to another defendant. Accordingly, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 188 and on this basis denies those allegations.

12 189. Paragraph 189 is directed to other defendants. Accordingly, LG Display Co. lacks
13 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
14 Paragraph 189 and on this basis denies those allegations. LG Display Co. admits that Toshiba
15 purchased a stake in LG Display Co.'s manufacturing facility in Poland. To the extent that the
16 remaining allegations in Paragraph 189 are deemed to require a response, they are denied.

17 190. The allegations contained in Paragraph 190 consist of Plaintiff's characterizations
18 of its claims and conclusions of law, to which no response is required. To the extent that those
19 allegations may be deemed to require a response and are directed to other defendants or corporate
20 entities, LG Display Co. lacks knowledge or information sufficient to form a belief as to the truth
21 of the allegations, and on this basis denies those allegations. To the extent that the allegations
22 contained in Paragraph 190 may be deemed to require a response and are directed to LG Display
23 Co., they are denied.

24 191. Paragraph 191 contains Plaintiff's conclusions of law, to which no response is
25 required.

26 192. To the extent the allegations contained in Paragraph 192 are derived from analysts'
27 reports, those reports speak for themselves and no response is required. LG Display Co.
28 otherwise denies the allegations contained in Paragraph 192.

1 193. The allegations contained in Paragraph 193 consist of Plaintiff's characterizations
2 of its claims and conclusions of law, to which no response is required.

3 194. To the extent the allegations contained in Paragraph 194 are derived from analysts'
4 reports, those reports speak for themselves and no response is required. LG Display Co.
5 otherwise denies the allegations contained in Paragraph 194.

6 195. Paragraph 195 contains Plaintiff's conclusions of law, to which no response is
7 required. To the extent that the allegations in Paragraph 195 may be deemed to require a
8 response and are directed to other defendants or corporate entities, LG Display Co. lacks
9 knowledge or information sufficient to form a belief as to the truth of the allegations, and on this
10 basis denies those allegations. To the extent that the allegations contained in Paragraph 195 may
11 be deemed to require a response and are directed to LG Display Co., they are denied.

12 196. Paragraph 196 contains Plaintiff's conclusions of law, to which no response is
13 required. To the extent that the allegations in Paragraph 196 may be deemed to require a
14 response and are directed to other defendants or corporate entities, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations, and on this
16 basis denies those allegations. To the extent that the allegations contained in Paragraph 196 may
17 be deemed to require a response and are directed to LG Display Co., they are denied.

18 197. To the extent that the allegations contained in Paragraph 197 were derived from
19 industry publications, those publications speak for themselves and no response is required. To
20 the extent that the allegations contained in Paragraph 197 may be deemed to require a response
21 and are directed to LG Display Co., they are denied.

22 198. To the extent that the allegations contained in Paragraph 198 were derived from
23 analyst reports, those reports speak for themselves and no response is required. To the extent that
24 the allegations contained in Paragraph 198 may be deemed to require a response and are directed
25 to LG Display Co., they are denied.

26 199. Paragraph 199 contains Plaintiff's conclusions of law, to which no response is
27 required. To the extent that the allegations in Paragraph 199 are directed to other corporate
28 entities, LG Display Co. lacks knowledge or information sufficient to form a belief as to the truth

1 of the allegations, and on this basis denies those allegations. To the extent that the allegations
2 contained in Paragraph 199 may be deemed to require a response and are directed to LG Display
3 Co., they are denied.

4 200. The allegations contained in Paragraph 200 consist of Plaintiff's characterizations
5 and conclusions of law, to which no response is required. To the extent that the allegations
6 contained in Paragraph 200 may be deemed to require a response and are directed to LG Display
7 Co., they are denied.

8 201. The allegations contained in Paragraph 201 consist of Plaintiff's characterizations
9 and conclusions of law, to which no response is required. To the extent that the allegations
10 contained in Paragraph 201 may be deemed to require a response and are directed to LG Display
11 Co., they are denied.

12 202. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
13 truth of the allegations in Paragraph 202 and on this basis denies those allegations.

14 203. The allegations contained in Paragraph 203 consist of Plaintiff's characterizations
15 and conclusions of law, to which no response is required. To the extent that the allegations
16 contained in Paragraph 203 may be deemed to require a response and are directed to LG Display
17 Co., they are denied.

18 204. The allegations contained in Paragraph 204 consist of Plaintiff's characterizations
19 and conclusions of law, to which no response is required. To the extent that the allegations in
20 Paragraph 204 are directed to other defendants, LG Display Co. lacks knowledge or information
21 sufficient to form a belief as to the truth of the allegations, and on this basis denies those
22 allegations. To the extent that the allegations contained in Paragraph 204 may be deemed to
23 require a response and are directed to LG Display Co., they are denied.

24 205. The allegations contained in the first sentence of Paragraph 205 consist of
25 Plaintiff's characterizations, to which no response is required. The remainder of Paragraph 205 is
26 directed to other defendants. Accordingly, LG Display Co. lacks knowledge or information
27 sufficient to form a belief as to the truth of the allegations contained in Paragraph 205 and on this
28 basis denies those allegations.

1 206. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
2 truth of the allegations in Paragraph 206 and on this basis denies those allegations.

3 207. The allegations in Paragraph 207 are directed to other defendants. Accordingly, LG
4 Display Co. lacks knowledge or information sufficient to form a belief as to the truth of the
5 allegations, and on this basis denies those allegations. To the extent that the allegations contained
6 in Paragraph 207 may be deemed to require a response and are directed to LG Display Co., they
7 are denied.

8 208. To the extent that the allegations in Paragraph 208 are directed to other defendants,
9 LG Display Co. lacks knowledge or information sufficient to form a belief as to the truth of the
10 allegations, and on this basis denies those allegations. To the extent that the allegations contained
11 in Paragraph 208 may be deemed to require a response and are directed to LG Display Co., they
12 are denied.

13 209. Paragraph 209 is directed to another defendant. Accordingly, LG Display Co. lacks
14 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
15 Paragraph 209 and on this basis denies those allegations.

16 210. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
17 truth of the allegations contained in Paragraph 210 and on this basis denies those allegations.

18 211. To the extent that the allegations contained in Paragraph 211 are directed to other
19 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
20 truth of the allegations contained in Paragraph 211 and on this basis denies those allegations. To
21 the extent the allegations in Paragraph 211 incorporate Plaintiff's term "LG," LG Display Co.
22 denies the allegations on the basis that they are vague. LG Display Co. was not in existence
23 during the time period covered by the allegations contained in Paragraph 211, and on that basis
24 denies any allegations directed to it.

25 212. Paragraph 212 is directed to another defendant. Accordingly, LG Display Co. lacks
26 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
27 Paragraph 212 and on this basis denies those allegations.

28 213. Paragraph 213 is directed to another defendant. Accordingly, LG Display Co. lacks

1 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
2 Paragraph 213 and on this basis denies those allegations.

3 214. Paragraph 214 is directed to other defendants. Accordingly, LG Display Co. lacks
4 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
5 Paragraph 214 and on this basis denies those allegations.

6 215. Paragraph 215 is directed to other defendants. Accordingly, LG Display Co. lacks
7 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
8 Paragraph 215 and on this basis denies those allegations.

9 216. Paragraph 216 is directed to another defendant. Accordingly, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 216 and on this basis denies those allegations. To the extent that the remaining
12 allegations in Paragraph 216 are directed to LG Display Co., and incorporate Plaintiff's term
13 "LCDs," they are denied on the basis that they are vague.

14 217. Paragraph 217 is directed to another defendant. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 217 and on this basis denies those allegations.

17 218. To the extent that the allegations contained in Paragraph 218 are directed to other
18 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
19 truth of these allegations and on this basis denies those allegations. To the extent that the
20 allegations in Paragraph 218 are directed to LG Display Co. and are deemed to require a
21 response, they are denied.

22 219. To the extent that the allegations contained in Paragraph 219 are directed to other
23 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
24 truth of these allegations and on this basis denies those allegations. To the extent that the
25 allegations in Paragraph 219 are directed to LG Display Co. and are deemed to require a
26 response, they are denied.

27 220. Paragraph 220 is directed to other defendants. Accordingly, LG Display Co. lacks
28 knowledge or information sufficient to form a belief as to the truth of the allegations contained in

1 Paragraph 220 and on this basis denies those allegations.

2 221. To the extent that the allegations contained in Paragraph 221 are directed to other
3 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
4 truth of these allegations and on this basis denies those allegations. To the extent that the
5 allegations in Paragraph 221 are directed to LG Display Co. and are deemed to require a
6 response, they are denied.

7 222. The allegations contained in Paragraph 222 consist of Plaintiff's conclusions of law,
8 to which no response is required.

9 223. The first sentence of Paragraph 223 consists of Plaintiff's characterizations and
10 conclusions of law, to which no response is required. LG Display Co. otherwise lacks knowledge
11 or information sufficient to form a belief as to the truth of the allegations contained in Paragraph
12 223 and on this basis denies those allegations.

13 224. The first sentence of Paragraph 224 consists of Plaintiff's characterizations and
14 conclusions of law, to which no response is required. LG Display Co. otherwise lacks knowledge
15 or information sufficient to form a belief as to the truth of the allegations contained in Paragraph
16 224 and on this basis denies those allegations.

17 225. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
18 truth of the allegations contained the first sentence of Paragraph 225 and on this basis denies
19 those allegations. To the extent the second and third sentences of Paragraph 225 are directed to
20 another defendant, LG Display Co. lacks knowledge or information sufficient to form a belief as
21 to the truth of the allegations contained in Paragraph 225 and on this basis denies those
22 allegations. To the extent that the remaining allegations in Paragraph 225 are directed to LG
23 Display Co. and are deemed to require a response, they are denied.

24 226. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
25 truth of the allegations contained in Paragraph 226 and on this basis denies those allegations.

26 227. The first sentence of Paragraph 227 consists of Plaintiff's characterizations and
27 conclusions of law, to which no response is required. The second sentence of Paragraph 227 is
28 directed to another defendant. Accordingly, LG Display Co. lacks knowledge or information

1 sufficient to form a belief as to the truth of the allegations contained in Paragraph 227 and on this
2 basis denies those allegations.

3 228. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
4 truth of the allegations contained in Paragraph 228 and on this basis denies those allegations.

5 229. To the extent that the allegations contained in Paragraph 229 are directed to other
6 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
7 truth of these allegations and on this basis denies those allegations. To the extent that the
8 allegations in Paragraph 229 are directed to LG Display Co. and are deemed to require a
9 response, they are denied.

10 230. To the extent that the allegations contained in Paragraph 230 are directed to other
11 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
12 truth of the allegations contained in Paragraph 230 and on this basis denies those allegations. To
13 the extent the allegations contained in Paragraph 230 are directed to LG Display Co., they are
14 denied.

15 231. LG Display Co. admits that several trade organizations put on industry-wide
16 meetings. To the extent that the remaining allegations contained in Paragraph 231 are directed to
17 other defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to
18 the truth of the allegations contained in Paragraph 231 and on this basis denies those allegations.
19 The second sentence of Paragraph 231 contains Plaintiff's conclusions of law, to which no
20 response is required. To the extent that the remaining allegations in Paragraph 231 are directed to
21 LG Display Co., they are denied.

22 232. To the extent that the allegations contained in Paragraph 232 are directed to other
23 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
24 truth of the allegations contained in Paragraph 232 and on this basis denies those allegations. To
25 the extent the allegations contained in Paragraph 232 are based on statements made by TTLA,
26 those statements speak for themselves and no response is required. The final sentence of
27 Paragraph 232 contains Plaintiff's conclusions of law, to which no response is required. To the
28 extent that the remaining allegations in Paragraph 232 are directed to LG Display Co., they are

1 denied.

2 233. To the extent that the allegations contained in the first sentence of Paragraph 233
3 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
4 form a belief as to the truth of the allegations contained in the first sentence of Paragraph 233 and
5 on this basis denies those allegations. To the extent that the remaining sentences of Paragraph
6 233 are based on statements issued by EDIRAK, those statements speak for themselves and no
7 response is required. To the extent that the remaining allegations contained in Paragraph 233 are
8 directed to LG Display Co. and may be deemed to require further response, they are denied.

9 234. Paragraph 234 is directed to other defendants. Accordingly, LG Display Co. lacks
10 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
11 Paragraph 234 and on this basis denies those allegations. The fourth sentence of Paragraph 234
12 contains Plaintiff's conclusions of law, to which no response is required.

13 235. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
14 truth of the allegations contained in Paragraph 235 and on this basis denies these allegations.

15 236. To the extent that the allegations contained in Paragraph 236 were derived from the
16 SID 2004 speech called "Beyond the Crystal Gateway" and other public statements, those
17 statements speak for themselves and no response is required. To the extent that the remaining
18 allegations contained in Paragraph 236 are directed to other defendants, LG Display Co. lacks
19 knowledge or information sufficient to form a belief as to the truth of these allegations and on this
20 basis denies those allegations. To the extent that the remaining allegations in Paragraph 236 are
21 directed to LG Display Co., they are denied on the basis that they are vague.

22 237. To the extent that the allegations contained in Paragraph 237 were derived from the
23 SID 2005 speech called "2005: Beyond the Crystal Gateway," those statements speak for
24 themselves and no response is required. To the extent that the remaining allegations contained in
25 Paragraph 237 are directed to other defendants, LG Display Co. lacks knowledge or information
26 sufficient to form a belief as to the truth of these allegations and on this basis denies those
27 allegations. To the extent that the remaining allegations in Paragraph 237 are directed to LG
28 Display Co., LG Display Co. lacks knowledge or information sufficient to form a belief as to the

1 truth of the allegations contained in Paragraph 237 and on this basis denies those allegations.

2 238. To the extent that the allegations contained in Paragraph 238 were derived from the
3 SID 2005 presentation entitled “Managing the Crystal Cycles,” those statements speak for
4 themselves and no response is required. Otherwise, LG Display Co. lacks knowledge or
5 information sufficient to form a belief as to the truth of the allegations contained in Paragraph 238
6 and on this basis denies these allegations

7 239. To the extent that the allegations contained in Paragraph 239 were derived from public
8 statements or presentations, those statements and presentations speak for themselves and no response
9 is required. To the extent that the remaining allegations contained in Paragraph 239 are directed
10 to other defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as
11 to the truth of these allegations and on this basis denies those allegations. To the extent that the
12 remaining allegations in Paragraph 237 are directed to LG Display Co., LG Display Co. lacks
13 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
14 Paragraph 239 and on this basis denies those allegations.

15 240. LG Display Co. denies the allegations contained in the first sentence of Paragraph
16 240. LG Display Co. admits the allegations contained in the second sentence of Paragraph 240.

17 241. To the extent that the allegations contained in Paragraph 241 are directed to other
18 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
19 truth of the allegations contained in Paragraph 241 and on this basis denies those allegations. To
20 the extent that the remaining allegations in Paragraph 241 are directed to LG Display Co., they
21 are denied.

22 242. To the extent that the allegations contained in Paragraph 242 were derived from
23 statements by Dr. Hui Hsiung, those statements speak for themselves and no response is required.
24 To the extent that the allegations contained in Paragraph 242 may be deemed to require a
25 response and are directed to LG Display Co., they are denied.

26 243. Paragraph 243 is directed to other defendants. Accordingly, LG Display Co. lacks
27 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
28 Paragraph 243 and on this basis denies those allegations.

1 244. To the extent that the allegations contained in Paragraph 244 are directed to other
2 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
3 truth of the allegations contained in Paragraph 244 and on this basis denies those allegations. To
4 the extent that the remaining allegations in Paragraph 244 are directed to LG Display Co., they
5 are denied.

6 245. The allegations contained in Paragraph 245 consist of Plaintiff's conclusions of law,
7 to which no response is required. To the extent that those allegations may be deemed to require a
8 response and are directed to other defendants, LG Display Co. lacks knowledge or information
9 sufficient to form a belief as to the truth of the allegations, and on this basis denies those
10 allegations. To the extent that the allegations contained in Paragraph 245 may be deemed to
11 require a response and are directed to LG Display Co., they are denied.

12 246. To the extent that the allegations in Paragraph 246 may be deemed to require a
13 response and are directed to other defendants, LG Display Co. lacks knowledge or information
14 sufficient to form a belief as to the truth of the allegations, and on this basis denies those
15 allegations. To the extent that the allegations contained in Paragraph 246 are based on
16 informational articles or journals, they speak for themselves and no further response is required.
17 To the extent that the allegations contained in Paragraph 246 may be deemed to require a
18 response and are directed to LG Display Co., they are denied on the basis that LG Display lacks
19 knowledge or information sufficient to form a belief as to the truth of the allegations and they are
20 vague.

21 247. The allegations contained in Paragraph 247 consist of the Plaintiff's conclusions of
22 law, to which no response is required. To the extent that the allegations contained in Paragraph
23 247 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
24 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
25 extent that the allegations in Paragraph 247 are directed to LG Display Co. and are deemed to
26 require a response, they are denied.

27 248. The allegations contained in Paragraph 248 consist of the Plaintiff's conclusions of
28 law, to which no response is required. To the extent that the allegations contained in Paragraph

1 248 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
2 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
3 extent that the allegations in Paragraph 248 are directed to LG Display Co. and are deemed to
4 require a response, they are denied.

5 249. To the extent that the allegations contained in Paragraph 249 are directed to other
6 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
7 truth of these allegations and on this basis denies those allegations. To the extent that the
8 allegations in Paragraph 249 are directed to LG Display Co. and are deemed to require a
9 response, they are denied.

10 250. The allegations contained in Paragraph 250 consist of the Plaintiff's conclusions of
11 law, to which no response is required. To the extent that the allegations contained in Paragraph
12 250 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
13 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
14 extent that the allegations in Paragraph 250 are directed to LG Display Co. and are deemed to
15 require a response, they are denied.

16 251. Paragraph 251 contains Plaintiff's conclusions of law, to which no response is
17 required. To the extent that allegations in Paragraph 251 are based on public statements or plea
18 agreements, those statements and agreements speak for themselves and no response is required.
19 To the extent that the allegations contained in Paragraph 251 may be deemed to require a
20 response and are directed to other defendants, LG Display Co. lacks knowledge or information
21 sufficient to form a belief as to the truth of the allegations, and on this basis denies those
22 allegations. To the extent that the allegations contained in Paragraph 251 may be deemed to
23 require a response and are directed to LG Display Co., they are denied.

24 252. The allegations contained in Paragraph 252 consist of the Plaintiff's conclusions of
25 law, to which no response is required. To the extent that the allegations contained in Paragraph
26 252 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
27 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
28 extent that the allegations in Paragraph 252 are directed to LG Display Co. and are deemed to

1 require a response, they are denied.

2 253. Paragraph 253 consists of Plaintiff's characterization of its claims and conclusions
3 of law, to which no response is required.

4 254. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
5 truth of the allegations in Paragraph 254 and on this basis denies those allegations. To the extent
6 that the allegations contained in Paragraph 254 are directed to other defendants, LG Display Co.
7 lacks knowledge or information sufficient to form a belief as to the truth of these allegations and
8 on this basis denies those allegations. To the extent that the allegations in Paragraph 254 are
9 directed to LG Display Co. and are deemed to require a response, they are denied.

10 255. Paragraph 255 is directed to other defendants. Accordingly, LG Display Co. lacks
11 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
12 Paragraph 255 and on this basis denies those allegations.

13 256. Paragraph 256 contains Plaintiff's conclusions of law, to which no response is
14 required. Paragraph 256 is directed to other defendants. Accordingly, LG Display Co. lacks
15 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
16 Paragraph 256 and on this basis denies those allegations.

17 257. Paragraph 257 contains Plaintiff's conclusions of law, to which no response is
18 required. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
19 truth of the allegations in Paragraph 257 and on this basis denies those allegations.

20 258. Paragraph 258 contains Plaintiff's conclusions of law, to which no response is
21 required. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
22 truth of the allegations in Paragraph 258 and on this basis denies those allegations.

23 259. The allegations contained in Paragraph 259 consist of the Plaintiff's conclusions of
24 law, to which no response is required. To the extent that the allegations contained in Paragraph
25 259 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
26 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
27 extent that the allegations in Paragraph 259 are directed to LG Display Co. and are deemed to
28 require a response, they are denied.

1 260. The first sentence of Paragraph 260 contains Plaintiff's conclusions of law, to which
2 no response is required. To the extent that the allegations contained in Paragraph 260 are directed
3 to other defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as
4 to the truth of these allegations and on this basis denies those allegations. To the extent that the
5 allegations in Paragraph 260 are directed to LG Display Co. and are deemed to require a
6 response, they are denied.

7 261. To the extent that the allegations contained in Paragraph 261 are directed to other
8 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
9 truth of these allegations and on this basis denies those allegations. To the extent that the
10 allegations in Paragraph 261 are directed to LG Display Co. and are deemed to require a
11 response, they are denied.

12 262. The first sentence of Paragraph 262 contains Plaintiff's conclusions of law, to which
13 no response is required. To the extent that the allegations contained in Paragraph 262 are directed
14 to other defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as
15 to the truth of these allegations and on this basis denies those allegations. To the extent that the
16 allegations in Paragraph 262 are directed to LG Display Co. and are deemed to require a
17 response, they are denied.

18 263. To the extent that the allegations contained in Paragraph 263 are directed to other
19 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
20 truth of these allegations and on this basis denies those allegations. To the extent that the
21 allegations in Paragraph 263 are directed to LG Display Co. and are deemed to require a
22 response, they are denied.

23 264. To the extent that the allegations contained in Paragraph 264 are directed to other
24 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
25 truth of these allegations and on this basis denies those allegations. To the extent that the
26 allegations in Paragraph 264 are directed to LG Display Co. and are deemed to require a
27 response, they are denied on the basis that they are argumentative.

28 265. Paragraph 265 is directed to another defendant. Accordingly, LG Display Co. lacks

1 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
2 Paragraph 265 and on this basis denies those allegations.

3 266. To the extent that the allegations contained in Paragraph 266 are directed to other
4 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
5 truth of these allegations and on this basis denies those allegations. To the extent that the
6 allegations in Paragraph 266 are directed to LG Display Co. and are deemed to require a
7 response, they are denied.

8 267. To the extent that the allegations contained in Paragraph 267 are directed to other
9 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
10 truth of these allegations and on this basis denies those allegations. To the extent that the
11 allegations in Paragraph 267 are directed to LG Display Co. and are deemed to require a
12 response, they are denied.

13 268. The first and second sentences of Paragraph 268 consist of Plaintiff's
14 characterizations, to which no response is required. To the extent that the remaining allegations
15 contained in Paragraph 268 are directed to other defendants, LG Display Co. lacks knowledge or
16 information sufficient to form a belief as to the truth of these allegations and on this basis denies
17 those allegations. To the extent that the allegations contained in Paragraph 268 were derived
18 from public statements, those statements speak for themselves and no response is required. To
19 the extent that the allegations in Paragraph 268 are directed to LG Display Co. and are deemed to
20 require a response, they are denied.

21 269. To the extent that the allegations contained in Paragraph 269 are directed to other
22 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
23 truth of these allegations and on this basis denies those allegations. To the extent that the
24 allegations in Paragraph 269 are directed to LG Display Co. and are deemed to require a
25 response, they are denied.

26 270. Paragraph 270 is directed to another defendant. Accordingly, LG Display Co. lacks
27 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
28 Paragraph 270 and on this basis denies those allegations.

1 271. The first sentence of Paragraph 271 contains Plaintiff's characterizations and is
2 argumentative, to which no response is required. To the extent that the allegations contained in
3 Paragraph 271 were derived from public statements, those statements speak for themselves and
4 no response is required. To the extent that the allegations in Paragraph 271 are directed to LG
5 Display Co. and are deemed to require a response, they are denied.

6 272. Paragraph 272 is directed to another defendant. Accordingly, LG Display Co. lacks
7 knowledge or information sufficient to form a belief as to the truth of the allegations contained in
8 Paragraph 272 and on this basis denies those allegations.

9 273. Paragraph 273 consists of Plaintiff's characterizations and conclusions of law, to
10 which no response is required.

11 274. The allegations contained in Paragraph 274 consist of the Plaintiff's conclusions of
12 law, to which no response is required. To the extent that the allegations contained in Paragraph
13 274 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
14 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
15 extent that the allegations in Paragraph 274 are directed to LG Display Co. and are deemed to
16 require a response, they are denied. LG Display Co. specifically denies that LG Display Co.
17 fraudulently concealed the alleged conspiracy.

18 275. The allegations contained in Paragraph 275 consist of the Plaintiff's conclusions of
19 law, to which no response is required. To the extent that the allegations contained in Paragraph
20 275 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
21 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
22 extent that the allegations in Paragraph 275 are directed to LG Display Co. and are deemed to
23 require a response, they are denied. LG Display Co. specifically denies that LG Display Co.
24 fraudulently concealed the alleged conspiracy.

25 276. The allegations contained in Paragraph 276 consist of the Plaintiff's conclusions of
26 law, to which no response is required. To the extent that the allegations contained in Paragraph
27 276 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
28 form a belief as to the truth of these allegations and on this basis denies those allegations. To the

1 extent that the allegations in Paragraph 276 are directed to LG Display Co. and are deemed to
2 require a response, they are denied.

3 277. The allegations contained in Paragraph 277 consist of the Plaintiff's conclusions of
4 law, to which no response is required. To the extent that the allegations contained in Paragraph
5 277 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
6 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
7 extent that the allegations in Paragraph 277 are directed to LG Display Co. and are deemed to
8 require a response, they are denied. LG Display Co. specifically denies that LG Display Co.
9 fraudulently concealed the alleged conspiracy.

10 278. The allegations contained in Paragraph 278 consist of the Plaintiff's conclusions of
11 law, to which no response is required. To the extent that the allegations contained in Paragraph
12 278 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
13 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
14 extent that the allegations in Paragraph 278 are directed to LG Display Co. and are deemed to
15 require a response, they are denied.

16 279. The allegations contained in Paragraph 279 consist of the Plaintiff's conclusions of
17 law, to which no response is required. To the extent that the allegations contained in Paragraph
18 279 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
19 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
20 extent that the allegations in Paragraph 279 are directed to LG Display Co. and are deemed to
21 require a response, they are denied.

22 280. Paragraph 280 consists of Plaintiff's characterization of its claims, to which no
23 response is required.

24 281. The allegations contained in Paragraph 281 consist of the Plaintiff's conclusions of
25 law, to which no response is required. To the extent that the allegations contained in Paragraph
26 281 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
27 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
28 extent that the allegations in Paragraph 281 are directed to LG Display Co. and are deemed to

1 require a response, they are denied.

2 282. The allegations contained in Paragraph 282 consist of the Plaintiff's conclusions of
3 law, to which no response is required. To the extent that the allegations contained in Paragraph
4 282 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
5 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
6 extent that the allegations in Paragraph 282 are directed to LG Display Co. and are deemed to
7 require a response, they are denied.

8 283. The allegations contained in Paragraph 283 consist of the Plaintiff's conclusions of
9 law, to which no response is required. To the extent that the allegations contained in Paragraph
10 283 may be deemed to require a response, they are denied.

11 284. The allegations contained in Paragraph 284 consist of the Plaintiff's conclusions of
12 law, to which no response is required. To the extent that the allegations contained in Paragraph
13 284 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
14 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
15 extent that the allegations in Paragraph 284 are directed to LG Display Co. and are deemed to
16 require a response, they are denied.

17 285. The allegations contained in Paragraph 285 consist of the Plaintiff's conclusions of
18 law, to which no response is required. To the extent that the allegations contained in Paragraph
19 285 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
20 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
21 extent that the allegations contained in Paragraph 285 are directed to LG Display Co. and may be
22 deemed to require a response, they are denied.

23 286. The allegations contained in Paragraph 286 consist of the Plaintiff's conclusions of
24 law, to which no response is required. To the extent that the allegations contained in Paragraph
25 286 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
26 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
27 extent that the allegations contained in Paragraph 286 are directed to LG Display Co. and may be
28 deemed to require a response, they are denied.

1 287. Paragraph 287 consists of Plaintiff's characterization of its claims, to which no
2 response is required.

3 288. The allegations contained in Paragraph 288 consist of the Plaintiff's conclusions of
4 law, to which no response is required. To the extent that the allegations contained in Paragraph
5 288 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
6 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
7 extent that the allegations contained in Paragraph 288 are directed to LG Display Co. and may be
8 deemed to require a response, they are denied.

9 289. LG Display Co. lacks knowledge or information sufficient to form a belief as to the
10 truth of the allegations in Paragraph 289 and on this basis denies those allegations.

11 290. Paragraph 290 consists of Plaintiff's conclusions of law, to which no response is
12 required.

13 291. To the extent that the allegations contained in Paragraph 291 are directed to other
14 defendants, LG Display Co. lacks knowledge or information sufficient to form a belief as to the
15 truth of the allegations contained in Paragraph 291 and on this basis denies those allegations. To
16 the extent that the allegations in Paragraph 291 are based on plea agreements, those agreements
17 speak for themselves and no response is required. To the extent that the remaining allegations in
18 Paragraph 291 are deemed to require a response from LG Display Co., they are denied.

19 292. The allegations contained in Paragraph 292 consist of the Plaintiff's conclusions of
20 law, to which no response is required. To the extent that the allegations contained in Paragraph
21 292 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
22 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
23 extent that the allegations in Paragraph 292 are directed to LG Display Co. and are deemed to
24 require a response, they are denied.

25 293. The allegations contained in Paragraph 293 consist of the Plaintiff's conclusions of
26 law, to which no response is required. To the extent that the allegations contained in Paragraph
27 293 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
28 form a belief as to the truth of these allegations and on this basis denies those allegations. To the

1 extent that the allegations in Paragraph 293 are directed to LG Display Co. and are deemed to
2 require a response, they are denied.

3 294. The allegations contained in Paragraph 294 consist of the Plaintiff's conclusions of
4 law, to which no response is required. To the extent that the allegations contained in Paragraph
5 294 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
6 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
7 extent that the allegations in Paragraph 294 are directed to LG Display Co. and are deemed to
8 require a response, they are denied.

9 295. The allegations contained in Paragraph 295 consist of the Plaintiff's conclusions of
10 law, to which no response is required. To the extent that the allegations contained in Paragraph
11 295 may be deemed to require a response, they are denied.

12 296. The allegations contained in Paragraph 296 consist of the Plaintiff's conclusions of
13 law, to which no response is required. To the extent that the allegations contained in Paragraph
14 296 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
15 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
16 extent that the allegations in Paragraph 296 are directed to LG Display Co. and are deemed to
17 require a response, they are denied.

18 297. The allegations contained in Paragraph 297 consist of the Plaintiff's conclusions of
19 law, to which no response is required. To the extent that the allegations contained in Paragraph
20 297 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
21 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
22 extent that the allegations in Paragraph 297 are directed to LG Display Co. and are deemed to
23 require a response, they are denied.

24 298. The allegations contained in Paragraph 298 consist of the Plaintiff's conclusions of
25 law, to which no response is required. To the extent that the allegations contained in Paragraph
26 298 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
27 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
28 extent that the allegations contained in Paragraph 298 are derived from plea agreements, those

1 agreements speak for themselves and no response is required.

2 299. The allegations contained in Paragraph 299 consist of the Plaintiff's conclusions of
3 law, to which no response is required. To the extent that the allegations contained in Paragraph
4 299 are directed to other defendants, LG Display Co. lacks knowledge or information sufficient to
5 form a belief as to the truth of these allegations and on this basis denies those allegations. To the
6 extent that the allegations contained in Paragraph 299 are directed to LG Display Co. and may be
7 deemed to require a response, they are denied.

8
9 **PRAYER FOR RELIEF**

10 To the extent that the Prayer for Relief may be deemed to require a response, it is denied.

11
12 **ADDITIONAL DEFENSES**

13 300. As additional defenses to the FAC, LG Display Co. states, without assuming any
14 burden of pleading or proof that would otherwise rest on Plaintiff, as follows:

15 **FIRST DEFENSE**

16 (Failure to State a Claim)

17 301. The FAC fails to state a claim upon which relief can be granted.

18 **SECOND DEFENSE**

19 (Statute of Limitations)

20 302. The claims set forth in the FAC are barred by the statute of limitations.

21 **THIRD DEFENSE**

22 (Failure to Plead Fraud with Particularity)

23 303. Plaintiff has failed to allege fraudulent concealment with particularity.

24 **FOURTH DEFENSE**

25 (No Effect on Commerce with the United States)

26 304. The conduct alleged by Plaintiff in the FAC to form the basis of certain of
27 Plaintiff's claims has not had a direct, substantial, and reasonably foreseeable effect on trade or
28 commerce with the United States. The Court therefore lacks subject matter jurisdiction.

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FIFTH DEFENSE

(Failure to Mitigate)

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

SIXTH DEFENSE

(Speculative Damages)

306. Plaintiff's claims for damages are barred because the alleged damages, if any, are speculative and because of the impossibility of ascertaining and allocating those alleged damages.

SEVENTH DEFENSE

(Acts and Omissions of Others)

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

EIGHTH DEFENSE

(Waiver, Estoppel, and Laches)

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

NINTH DEFENSE

(*Ultra Vires*)

309. To the extent that any actionable conduct occurred, Plaintiff's claims against LG Display Co. are barred because all such conduct would have been committed by individuals acting *ultra vires*.

TENTH DEFENSE

(Pass-on)

310. Plaintiff passed-on any overcharge it suffered to entities to which it later sold its used products containing TFT-LCD panels.

ELEVENTH DEFENSE

(Alternative Dispute Resolution)

311. Plaintiff's claims against LG Display Co. are barred to the extent that it has agreed to arbitration or chosen a different forum for the resolution of its claims.

1 **TWELFTH DEFENSE**

2 (Withdrawal)

3 312. LG Display Co. withdrew from the alleged conspiracy and therefore is not liable for
4 any injury sustained because of the alleged conspiracy after such withdrawal.

5 **THIRTEENTH DEFENSE**

6 (Unconstitutional Multiplicity)

7 313. LG Display Co. has been named as a defendant in numerous actions, including this
8 one, seeking damages caused by an alleged conspiracy to fix prices of TFT-LCD panels (the
9 “TFT-LCD Actions”). These actions include 1) claims by plaintiffs who allege they are direct
10 purchasers of TFT-LCD panels, 2) claims by plaintiffs who allege they are direct purchasers of
11 finished products containing TFT-LCD panels, 3) claims by plaintiffs who allege they are indirect
12 purchasers of TFT-LCD panels, and 4) claims by plaintiffs who allege they are indirect
13 purchasers of finished products containing TFT-LCD panels. Some of these actions are
14 proceeding as part of a class action on behalf of alleged direct purchasers of TFT-LCD panels or
15 finished products containing TFT-LCD panels. Some of the actions are proceeding as part of a
16 class action on behalf of alleged indirect purchasers of TFT-LCD panels or finished products
17 containing TFT-LCD panels who purchased such items not for resale. Some of these actions, like
18 this one, are proceeding as direct actions on behalf on one or more corporate entities alleged to be
19 direct and/or indirect purchasers of TFT-LCD panels or finished products containing TFT-LCD
20 panels who either opted out of the direct purchaser class action or otherwise brought their claims
21 individually. And finally, some of these actions are civil actions commenced by Attorneys
22 General of the States of Arkansas, California, Florida, Illinois, Michigan, Mississippi, Missouri,
23 New York, Oklahoma, Oregon, South Carolina, Washington, West Virginia, and Wisconsin. The
24 Attorneys General of these 14 states variously purport to bring claims on behalf of state and local
25 government agencies, and/or on behalf of the citizens of their respective states pursuant to their
26 *parens patriae* powers, as purchasers of TFT-LCD panels or of finished products containing TFT-
27 LCD panels.

28 314. Many of these actions were filed originally in the United States District Court for

1 the Northern District of California and designated as related actions pursuant to the District
2 Court's procedures. Many others were originally filed in other courts throughout the United
3 States and transferred to the Northern District of California by the Judicial Panel on Multidistrict
4 Litigation (the "JPML") for coordinated or consolidated pretrial proceedings, along with the
5 actions filed in the Northern District of California, as part of a Multi-District Litigation entitled In
6 re TFT-LCD (Flat Panel) Antitrust Litigation (the "MDL").

7 315. Included among the actions in the MDL are the actions commenced by Attorneys
8 General of the States of Arkansas, Florida, Michigan, Missouri, New York, Oklahoma, Oregon,
9 West Virginia, and Wisconsin. The civil actions by the Attorneys General of California and
10 Washington were originally filed in their respective state courts, then removed to federal court,
11 transferred by the JPML to the MDL in the Northern District of California, and subsequently
12 remanded back to their original state courts where they are currently pending. The civil actions
13 by the Attorneys General of Illinois, Mississippi, and South Carolina have never been part of the
14 MDL proceedings. The Illinois action was commenced in state court, removed to federal court
15 and subsequently remanded to the Illinois state court where it is currently pending. The
16 Mississippi action was commenced in state court and removed to federal court in Mississippi. A
17 motion to remand that action to state court is currently being briefed before the United States
18 District Court for the Southern District of Mississippi. The South Carolina action was
19 commenced in state court and removed to federal court. An order remanding that action back to
20 South Carolina state court is currently on appeal before the United States Court of Appeals for the
21 Fourth Circuit.

22 316. The TFT-LCD Actions have been brought, variously, pursuant to the United States
23 antitrust laws, which permit claims by direct purchasers, only, and pursuant to state antitrust and
24 consumer protections laws, some of which permit claims by indirect purchasers, as well as direct
25 purchasers. All of the TFT-LCD Actions arise out of an alleged common nucleus of operative
26 facts.

27 317. In these circumstances, multiple plaintiffs, classes of plaintiffs, and/or Attorneys
28 General are seeking to recover all or part of the same alleged overcharges on the TFT-LCD

1 panels sold by defendants. In other words, despite being at different points on the manufacturing
2 and distribution chains (e.g., manufacturers, systems integrators, distributors, retailers, end users)
3 for those original panels, the different plaintiffs claim they absorbed the overcharges in whole or
4 part, in contradiction to the competing claims of the other plaintiffs. Indeed, each and all of the
5 plaintiffs in each and all of the TFT-LCD Actions claims, or has asserted through expert opinions
6 or otherwise, that it has incurred, either directly or by pass-on through the chain of manufacture
7 and distribution, 100% of all overcharges on the TFT-LCD panels it has directly or indirectly
8 purchased. In these circumstances, and given the existence of multiple actions pending in
9 multiple courts applying multiple laws to the same series of circumstances and transactions, LG
10 Display Co. is currently at risk of being held liable for multiple awards of damages for the same
11 purported wrong, namely the amount of any purported overcharge to a direct purchaser of a TFT-
12 LCD panel, in the first instance, plus the same amount for each subsequent indirect purchaser
13 down the line. That these multiple recoveries are subject to trebling under federal and state
14 statutes further compounds this serious risk.

15 318. Specific to this action, to the degree that damages have been or may be awarded to
16 claimants upstream of Plaintiff in the manufacturing and distribution chain (e.g., to manufacturers
17 of TFT-LCD panels, or to manufacturers and OEMs of finished products containing TFT-LCD
18 panels), or downstream of Plaintiff in the distribution chain (e.g., business or individual end-users
19 of finished products containing TFT-LCD panels), and to the degree that any award of damages is
20 not properly allocated among such claimants to prevent a total award exceeding 100% of any
21 overcharge on a given TFT-LCD panel, LG Display Co. is at risk of being held liable for multiple
22 awards of damages for the same, single purported wrong. Moreover, for the same reason, any
23 award to Plaintiff will be a “windfall” that exceeds its actual damages, insofar as any action
24 determines that others in the manufacturing and distribution chains absorbed or otherwise
25 incurred the overcharges Plaintiff claims. These serious and unjust risks of multiple, windfall
26 awards for the same, single wrong will exist as long as the TFT-LCD Actions, including this
27 action by Plaintiff, proceed without active judicial intervention to prevent such risks. Controlling
28 law requires this Court to take affirmative steps to avoid such multiple recoveries.

1 319. Plaintiff brings its overcharge claims under California law. (FAC, ¶¶ 287-298).
2 Under California law, multiple recovery is not permitted. For example, Cal. Bus. & Prof. Code §
3 16750(a) authorizes recovery for the “damages sustained” by the plaintiff for purported violations
4 of the Cartwright Act. And, California courts are instructed to take affirmative measures to avoid
5 duplicative recoveries. *See Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that
6 “[i]n instances where multiple levels of purchasers have sued, or where a risk remains they may
7 sue, trial courts and parties have at their disposal and may employ joinder, interpleader,
8 consolidation, and like procedural devices to bring all claimants before the court. In such cases, if
9 damages must be allocated among the various levels of injured purchasers, the bar on
10 consideration of the pass-on evidence must necessarily be lifted”); *see also id.* at 776-77
11 (citing with approval the Senate amendment to the Hart-Scott-Rodino Act which excluded from
12 *parens patriae* suits damage awards that duplicate amounts awarded for the same injury).

13 320. Plaintiff brings its overcharge claims under New York Law (FAC, ¶ 299). Under
14 New York law, duplicative recovery is not permitted. Pursuant to N.Y. Gen. Bus. Law § 340(6),

15 [i]n any action pursuant to this section, the fact that the state, or any
16 political subdivision or public authority of the state, or any person
17 who has sustained damages by reason of violation of this section
18 has not dealt directly with the defendant shall not bar or otherwise
19 limit recovery; provided, however, that in any action in which
20 claims are asserted against a defendant by both direct and indirect
21 purchasers, the court shall take all steps necessary to avoid
22 duplicate liability, including but not limited to the transfer and
23 consolidation of all related actions. In actions where both direct and
24 indirect purchasers are involved, a defendant shall be entitled to
25 prove as a partial or complete defense to a claim for damages that
26 the illegal overcharge has been passed on to others who are
27 themselves entitled to recover so as to avoid duplication of recovery
28 of damages.

24 New York courts have also denied standing on the basis of the risks of duplicative recovery. *See*
25 *Ho v. Visa*, No. 50415(U), slip op. at *3 (N.Y. Sup. Ct. April 21, 2004) (holding that “any
26 recovery obtained by plaintiffs here is likely to be duplicative, in light of the fact that the retailers
27 have already brought and resolved their claims with respect to the debit cards, and have obtained
28 a multi-billion dollar settlement”).

1 **SEVENTEENTH DEFENSE**

2 (Excessive Fines)

3 328. LG Display Co. hereby incorporates by reference, paragraphs 313-321 above.

4 329. Plaintiff's claims are barred, in whole or in part, to the extent they seek an improper
5 multiple punitive award for a single wrong because such an award would violate LG Display
6 Co.'s rights guaranteed by the Excessive Fines provision of the Eighth Amendment of the United
7 States Constitution.

8 **EIGHTEENTH DEFENSE**

9 (Violation of Laws of California)

10 330. LG Display Co. hereby incorporates by reference, paragraphs 313-321 above.

11 331. To the extent that Plaintiff seeks recovery of damages or is awarded damages which
12 are duplicative of any other award of damages to any other claimant, then such duplicative
13 damages sought by or awarded to Plaintiff constitute a violation of the laws of the state of
14 California, and cannot be awarded and/or are void.

15 **NINETEENTH DEFENSE**

16 (Violation of Laws of New York)

17 332. LG Display Co. hereby incorporates by reference, paragraphs 313-321 above.

18 333. To the extent that Plaintiff seeks recovery of damages or is awarded damages which
19 are duplicative of any other award of damages to any other claimant, then such duplicative
20 damages sought by or awarded to Plaintiff constitute a violation of the laws of the state of New
21 York, and cannot be awarded and/or are void.

22 **TWENTIETH DEFENSE**

23 (Violation of Laws of Duplicative Recovery)

24 334. LG Display Co. hereby incorporates by reference, paragraphs 313-321 above. To
25 the extent that Plaintiff seeks recovery of damages or is awarded damages which are duplicative
26 of any other award of damages to any other claimant, then such duplicative damages sought by or
27 awarded to Plaintiff constitute a violation of law, and cannot be awarded and/or are void.
28

1 **TWENTY-FIRST DEFENSE**

2 (Incorporation of Defenses of Others)

3 335. LG Display Co. adopts by reference any applicable defense pleaded by any other
4 defendant not otherwise expressly set forth herein.

5 **TWENTY-SECOND DEFENSE**

6 (Reservation of Other Defenses)

7 336. LG Display Co. reserves the right to assert other defenses as this action proceeds up
8 to and including the time of trial.

9 **COUNTERCLAIM**

10 337. Defendant and Counterclaimant LG Display Co., Ltd. (“LG Display Co. ”) further
11 states a counterclaim for Declaratory Judgment against Plaintiff and Counterclaim Defendant T-
12 Mobile U.S.A., Inc.’s (“T-Mobile”) as follows:

13 **The Parties**

14 338. LG Display Co. is a Korean corporation with its principal place of business in
15 Seoul, Republic of Korea.

16 339. Pursuant to T-Mobile’s complaint, T-Mobile (formerly known as Western PCS
17 Corporation and VoiceStream Wireless Corporation) is a Delaware corporation with its principal
18 place of business at Bellevue, Washington.

19 **Jurisdiction**

20 340. This action is brought pursuant to 28 U.S.C. § 2201 to secure declaratory relief.

21 341. The jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331.

22 342. The jurisdiction of this Court is also invoked pursuant to 28 U.S.C. § 1332. The
23 matter in controversy exceeds the sum of \$75,000 and is between citizens of different states.

24 **Summary of Facts**

25 343. LG Display Co. has been named as a defendant in numerous actions, including this
26 one, seeking damages caused by an alleged conspiracy to fix prices of TFT-LCD panels (the
27 “TFT-LCD Actions”). These actions include 1) claims by plaintiffs who allege they are direct
28 purchasers of TFT-LCD panels, 2) claims by plaintiffs who allege they are direct purchasers of

1 finished products containing TFT-LCD panels, 3) claims by plaintiffs who allege they are indirect
2 purchasers of TFT-LCD panels, and 4) claims by plaintiffs who allege they are indirect
3 purchasers of finished products containing TFT-LCD panels. Some of these actions are
4 proceeding as part of a class action on behalf of alleged direct purchasers of TFT-LCD panels or
5 finished products containing TFT-LCD panels. Some of the actions are proceeding as part of a
6 class action on behalf of alleged indirect purchasers of TFT-LCD panels or finished products
7 containing TFT-LCD panels who purchased such items not for resale. Some of these actions, like
8 this one, are proceeding as direct actions on behalf on one or more corporate entities alleged to be
9 direct and/or indirect purchasers of TFT-LCD panels or finished products containing TFT-LCD
10 panels who either opted out of the direct purchaser class action or otherwise brought their claims
11 individually. And finally, some of these actions are civil actions commenced by Attorneys
12 General of the States of Arkansas, California, Florida, Illinois, Michigan, Mississippi, Missouri,
13 New York, Oklahoma, Oregon, South Carolina, Washington, West Virginia, and Wisconsin. The
14 Attorneys General of these 14 states variously purport to bring claims on behalf of state and local
15 government agencies, and/or on behalf of the citizens of their respective states pursuant to their
16 *parens patriae* powers, as purchasers of TFT-LCD panels or of finished products containing TFT-
17 LCD panels.

18 344. Many of these actions were filed originally in the United States District Court for
19 the Northern District of California and designated as related actions pursuant to the District
20 Court's procedures. Many others were originally filed in other courts throughout the United
21 States and transferred to the Northern District of California by the Judicial Panel on Multidistrict
22 Litigation (the "JPML") for coordinated or consolidated pretrial proceedings, along with the
23 actions filed in the Northern District of California, as part of a Multi-District Litigation entitled In
24 re TFT-LCD (Flat Panel) Antitrust Litigation (the "MDL").

25 345. Included among the actions in the MDL are the actions commenced by Attorneys
26 General of the States of Arkansas, Florida, Michigan, Missouri, New York, Oklahoma, Oregon,
27 West Virginia, and Wisconsin. The civil actions by the Attorneys General of California and
28 Washington were originally filed in their respective state courts, then removed to federal court,

1 transferred by the JPML to the MDL in the Northern District of California, and subsequently
2 remanded back to their original state courts where they are currently pending. The civil actions
3 by the Attorneys General of Illinois, Mississippi, and South Carolina have never been part of the
4 MDL proceedings. The Illinois action was commenced in state court, removed to federal court
5 and subsequently remanded to the Illinois state court where it is currently pending. The
6 Mississippi action was commenced in state court and removed to federal court in Mississippi. A
7 motion to remand that action to state court is currently being briefed before the United States
8 District Court for the Southern District of Mississippi. The South Carolina action was
9 commenced in state court and removed to federal court. An order remanding that action back to
10 South Carolina state court is currently on appeal before the United States Court of Appeals for the
11 Fourth Circuit.

12 346. The TFT-LCD Actions have been brought, variously, pursuant to the United States
13 antitrust laws, which permit claims by direct purchasers, only, and pursuant to state antitrust and
14 consumer protections laws, some of which permit claims by indirect purchasers, as well as direct
15 purchasers. All of the TFT-LCD Actions arise out an alleged common nucleus of operative facts.

16 347. In these circumstances, multiple plaintiffs, classes of plaintiffs, and/or Attorneys
17 General are seeking to recover all or part of the same alleged overcharges on the TFT-LCD
18 panels sold by defendants. In other words, despite being at different points on the manufacturing
19 and distribution chains (e.g., manufacturers, systems integrators, distributors, retailers, end users)
20 for those original panels, the different plaintiffs claim they absorbed the overcharges in whole or
21 part, in contradiction to the competing claims of the other plaintiffs. Indeed, each and all of the
22 plaintiffs in each and all of the TFT-LCD Actions claims, or has asserted through expert opinions
23 or otherwise, that it has incurred, either directly or by pass through, 100% of all overcharges on
24 the TFT-LCD panels it has directly or indirectly purchased. In these circumstances, and given the
25 existence of multiple actions pending in multiple courts applying multiple laws to the same series
26 of circumstances and transactions, LG Display Co. is currently at risk of being held liable for
27 multiple awards of damages for the same purported wrong, namely the amount of any purported
28 overcharge to a direct purchaser of a TFT-LCD panel, in the first instance, plus the same amount

1 for each subsequent indirect purchaser down the line. That these multiple recoveries are subject
2 to trebling under federal and state statutes further compounds this serious risk.

3 348. Specific to this action, to the degree that damages have been or may be awarded to
4 claimants upstream of Plaintiff in the manufacturing and distribution chain (e.g., to manufacturers
5 of TFT-LCD panels, or to manufacturers and OEMs of finished products containing TFT-LCD
6 panels), or downstream of Plaintiff in the distribution chain (e.g., business or individual end-users
7 of finished products containing TFT-LCD panels), and to the degree that any award of damages is
8 not properly allocated among such claimants to prevent a total award exceeding 100% of any
9 overcharge on a given TFT-LCD panel, LG Display Co. is at risk of being held liable for multiple
10 awards of damages for the same, single purported wrong. Moreover, for the same reason, any
11 award to Plaintiff will be a “windfall” that exceeds its actual damages, insofar as any action
12 determines that others in the manufacturing and distribution chains absorbed or otherwise
13 incurred the overcharges Plaintiff claims. These serious and unjust risks of multiple, windfall
14 awards for the same, single wrong will exist as long as the TFT-LCD Actions, including this
15 action by Plaintiff, proceed without active judicial intervention to prevent such risks. Controlling
16 law requires this Court to take affirmative steps to avoid such multiple recoveries.

17 349. Plaintiff brings its overcharge claims under California law. (FAC, ¶¶ 287-298).
18 Under California law, multiple recovery is not permitted. For example, Cal. Bus. & Prof. Code §
19 16750(a) authorizes recovery for the “damages sustained” by the plaintiff for purported violations
20 of the Cartwright Act. And, California courts are instructed to take affirmative measures to avoid
21 duplicative recoveries. *See Clayworth v. Pfizer, Inc.*, 49 Cal. 4th 758, 787 (2010) (holding that
22 “[i]n instances where multiple levels of purchasers have sued, or where a risk remains they may
23 sue, trial courts and parties have at their disposal and may employ joinder, interpleader,
24 consolidation, and like procedural devices to bring all claimants before the court. In such cases, if
25 damages must be allocated among the various levels of injured purchasers, the bar on
26 consideration of the pass-on evidence must necessarily be lifted”); *see also id.* at 776-77
27 (citing with approval the Senate amendment to the Hart-Scott-Rodino Act which excluded from
28 *parens patriae* suits damage awards that duplicate amounts awarded for the same injury).

