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 SHARP CORPORATION and
 8 SHARP ELECTRONICS CORPORATION

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10 **UNITED STATES DISTRICT COURT**
 11 **NORTHERN DISTRICT OF CALIFORNIA**
 12 **SAN FRANCISCO DIVISION**

13

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

Master File No. 3:07-md-1827 SI
 MDL No. 1827

15

16 This Document Relates To:
 17 Case No. C 3:11-02591-SI
 18 T-MOBILE U.S.A., INC.,
 19 Plaintiff,
 20 v.
 21 AU OPTRONICS CORPORATION, *et al.*,
 22 Defendants.

**ANSWER OF DEFENDANT SHARP
 CORPORATION TO T-MOBILE
 U.S.A., INC.'S AMENDED
 COMPLAINT**

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1 Defendant SHARP CORPORATION (“Sharp”), by and through its attorneys,
2 admits, denies, and avers as follows with respect to the Amended Complaint (Dkt. 55) of T-
3 Mobile U.S.A., Inc. (“Plaintiff” or “T-Mobile”), filed in this Court on November 7, 2011.

4 1. Answering Paragraph 1, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 1 and, on that
6 basis, denies them.

7 2. Answering Paragraph 2, to the extent the allegations in Paragraph 2
8 concern defendants other than Sharp or Sharp Electronics Corporation (“Sharp
9 Electronics”), Sharp is without knowledge or information sufficient to form a belief as to
10 the truth of the allegations and, on that basis, denies them. To the extent the allegations in
11 Paragraph 2 concern Sharp or Sharp Electronics, Sharp denies them.

12 3. Answering Paragraph 3, Sharp admits that during the period 1996 through
13 2006, LCDs employing different types of active and passive matrix technologies,
14 including those listed in the first two sentences, were used in hand-held devices. To the
15 extent the allegations in Paragraph 3 purport to summarize testimony of H.B. Suh, that
16 testimony speaks for itself. To the extent the remaining allegations in Paragraph 3
17 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
18 information sufficient to form a belief as to the truth of the allegations and, on that basis,
19 denies them. To the extent the remaining allegations in Paragraph 3 concern Sharp or
20 Sharp Electronics, Sharp denies them.

21 4. Answering Paragraph 4, to the extent the allegations in Paragraph 4
22 concern Plaintiff or defendants other than Sharp or Sharp Electronics, Sharp is without
23 knowledge or information sufficient to form a belief as to the truth of the allegations and,
24 on that basis, denies them. To the extent the allegations in Paragraph 4 concern Sharp or
25 Sharp Electronics, Sharp denies them.

26 5. Answering Paragraph 5, Sharp denies that its plea and fine were for
27 “participating,” “carrying out” or playing a “role” in “this conspiracy” and otherwise
28 states that its plea agreement, and those of other defendants, speak for themselves.

1 6. Answering Paragraph 6, Sharp admits that many defendants maintained
2 offices or conducted operations in California during the period from 1996 through 2006.
3 Sharp states that defendants’ plea agreements speak for themselves and denies that Sharp
4 Electronics or Sharp were parties to the conspiracies described in the plea agreements of
5 other defendants. To the extent the remaining allegations in Paragraph 6 concern
6 defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
7 information sufficient to form a belief as to the truth of those allegations and, on that basis,
8 denies them. Sharp otherwise denies the allegations of Paragraph 6.

9 7. Answering Paragraph 7, to the extent the allegations in Paragraph 7
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of those allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 7 concern Sharp or Sharp
13 Electronics, Sharp denies them.

14 8. Sharp denies the allegations in Paragraph 8, except that it admits that
15 Plaintiff purports to bring this action to recover for “overcharges paid,” and denies that
16 Plaintiff is entitled to any such relief.

17 9. Answering Paragraph 9, Sharp admits that Plaintiff purports to bring this
18 action to obtain injunctive relief, damages and costs, including reasonable attorneys fees,
19 under the statutes cited, but denies that Plaintiff is entitled to any such relief. Sharp denies
20 the remaining allegations of Paragraph 9.

21 10. Answering Paragraph 10, Sharp admits that Plaintiff purports to bring this
22 action to obtain injunctive relief and to recover treble damages for alleged violations of
23 Section 1 of the Sherman Act (15 U.S.C. § 1), but denies that Plaintiff is entitled to any
24 such relief.

25 11. Answering Paragraph 11, Sharp admits that Plaintiff purports to bring this
26 action to recover damages and restitution and obtain injunctive relief for alleged violations
27 of the California Business and Professions Code and the New York General Business
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1 Law, but denies that Plaintiff is entitled to any such relief and notes that the Court has
2 already dismissed these claims.

3 12. Answering Paragraph 12, Sharp admits that this Court has subject matter
4 jurisdiction over Plaintiff's claims under the Sherman Act and Clayton Act, except as it
5 may be limited by the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a. Sharp
6 denies that the Court has supplemental jurisdiction based on the allegations in the
7 Amended Complaint and otherwise states that the allegations in Paragraph 12 are legal
8 conclusions to which no response is required.

9 13. Answering Paragraph 13, Sharp denies that it is subject to personal
10 jurisdiction in either Washington or California based on the allegations in the Amended
11 Complaint. To the extent the remaining allegations in Paragraph 13 concern Sharp or
12 Sharp Electronics, Sharp denies them and otherwise states that the allegations in
13 Paragraph 13 are legal conclusions to which no response is required. To the extent the
14 allegations in Paragraph 13 concern defendants other than Sharp or Sharp Electronics,
15 Sharp is without knowledge or information sufficient to form a belief as to the truth of the
16 allegations and, on that basis, denies them.

17 14. Answering Paragraph 14, Sharp denies that venue lies in the Western
18 District of Washington based on the conduct of Sharp alleged in the Amended Complaint
19 and otherwise states that the allegations in Paragraph 14 are legal conclusions to which no
20 response is required.

21 15. Sharp admits the allegations of Paragraph 15.

22 16. Answering Paragraph 16, Sharp states that the allegations in Paragraph 16
23 are legal conclusions to which no response is required.

24 17. Answering Paragraph 17, Sharp admits the allegations in the first, second
25 and third sentences of Paragraph 17 but denies that Paragraph 17 contains a complete
26 description of LCD technology or the processes for manufacturing LCD panels or
27 incorporating them into other products. The allegations in the fourth sentence of
28 Paragraph 17 are explanations of terminology to which no response is required.

1 18. Answering Paragraph 18, Sharp admits that during the period January 1,
2 1996 through December 11, 2006, LCDs employing different types of active and passive
3 matrix technologies were used in hand-held devices. Sharp denies the allegations in the
4 second sentence of Paragraph 18.

5 19. Paragraph 19 is a definition of terminology to which no response is
6 required.

7 20. Paragraph 20 is a definition of terminology to which no response is
8 required.

9 21. Paragraph 21 is a definition of terminology to which no response is
10 required.

11 22. Answering Paragraph 22, Sharp denies the allegations in the last sentence
12 and states that it is without knowledge or information sufficient to form a belief as to the
13 truth of the remaining allegations in Paragraph 22 and, on that basis, denies them.

14 23. Answering Paragraph 23, Sharp denies the allegations in the second
15 sentence and states that it is without knowledge or information sufficient to form a belief
16 as to the truth of the remaining allegations in the first sentence of Paragraph 23 and, on
17 that basis, denies them.

18 24. Answering Paragraph 24, Sharp is without knowledge or information
19 sufficient to form a belief as to the truth of the allegations in the first sentence of
20 Paragraph 24 and, on that basis, denies them. Sharp denies the remaining allegations in
21 Paragraph 24.

22 25. Answering Paragraph 25, Sharp is without knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 25 and, on that
24 basis, denies them.

25 26. Answering Paragraph 26, Sharp is without knowledge or information
26 sufficient to form a belief as to the truth of the allegations in Paragraph 26 and, on that
27 basis, denies them.

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1 35. Answering Paragraph 35, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 35 and, on that
3 basis, denies them.

4 36. Answering Paragraph 36, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 36 and, on that
6 basis, denies them.

7 37. Answering Paragraph 37, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 37 and, on that
9 basis, denies them.

10 38. Answering Paragraph 38, Sharp states that the allegations in the first
11 sentence are explanations of terminology to which no response is required. Sharp is
12 without knowledge or information sufficient to form a belief as to the truth of the
13 remaining allegations in Paragraph 38 and, on that basis, denies them.

14 39. Answering Paragraph 39, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in Paragraph 39 and, on that
16 basis, denies them.

17 40. Answering Paragraph 40, Sharp is without knowledge or information
18 sufficient to form a belief as to the truth of the allegations in Paragraph 40 and, on that
19 basis, denies them.

20 41. Answering Paragraph 41, Sharp is without knowledge or information
21 sufficient to form a belief as to the truth of the allegations in Paragraph 41 and, on that
22 basis, denies them.

23 42. Answering Paragraph 42, Sharp states that the allegations in the first
24 sentence are explanations of terminology to which no response is required. Sharp is
25 without knowledge or information sufficient to form a belief as to the truth of the
26 remaining allegations in Paragraph 42 and, on that basis, denies them.

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1 43. Answering Paragraph 43, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 43 and, on that
3 basis, denies them.

4 44. Answering Paragraph 44, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 44 and, on that
6 basis, denies them.

7 45. Answering Paragraph 45, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 45 and, on that
9 basis, denies them.

10 46. Answering Paragraph 46, Sharp is without knowledge or information
11 sufficient to form a belief as to the truth of the allegations in Paragraph 46 and, on that
12 basis, denies them.

13 47. Answering Paragraph 47, Sharp states that the allegations in the first
14 sentence are explanations of terminology to which no response is required. Sharp is
15 without knowledge or information sufficient to form a belief as to the truth of the
16 remaining allegations in Paragraph 47 and, on that basis, denies them.

17 48. Answering Paragraph 48, Sharp is without knowledge or information
18 sufficient to form a belief as to the truth of the allegations in Paragraph 48 and, on that
19 basis, denies them.

20 49. Answering Paragraph 49, Sharp is without knowledge or information
21 sufficient to form a belief as to the truth of the allegations in Paragraph 49 and, on that
22 basis, denies them.

23 50. Answering Paragraph 50, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations in Paragraph 50 and, on that
25 basis, denies them.

26 51. Answering Paragraph 51, Sharp is without knowledge or information
27 sufficient to form a belief as to the truth of the allegations in Paragraph 51 and, on that
28 basis, denies them.

1 52. Answering Paragraph 52, Sharp states that the allegations are explanations
2 of terminology to which no response is required.

3 53. Answering Paragraph 53, Sharp is without knowledge or information
4 sufficient to form a belief as to the truth of the allegations in Paragraph 53 and, on that
5 basis, denies them.

6 54. Answering Paragraph 54, Sharp is without knowledge or information
7 sufficient to form a belief as to the truth of the allegations in Paragraph 54 and, on that
8 basis, denies them.

9 55. Answering Paragraph 55, Sharp states that the allegations in the first
10 sentence are explanations of terminology to which no response is required. Sharp is
11 without knowledge or information sufficient to form a belief as to the truth of the
12 remaining allegations in Paragraph 55 and, on that basis, denies them

13 56. Answering Paragraph 56, Sharp is without knowledge or information
14 sufficient to form a belief as to the truth of the allegations in Paragraph 56 and, on that
15 basis, denies them.

16 57. Answering Paragraph 57, Sharp is without knowledge or information
17 sufficient to form a belief as to the truth of the allegations in Paragraph 57 and, on that
18 basis, denies them.

19 58. Answering Paragraph 58, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 58 and, on that
21 basis, denies them.

22 59. Answering Paragraph 59, Sharp is without knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 59 and, on that
24 basis, denies them.

25 60. Answering Paragraph 60, Sharp is without knowledge or information
26 sufficient to form a belief as to the truth of the allegations in Paragraph 60 and, on that
27 basis, denies them.

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1 61. Answering Paragraph 61, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 61 and, on that
3 basis, denies them.

4 62. Answering Paragraph 62, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 62 and, on that
6 basis, denies them.

7 63. Answering Paragraph 63, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 63 and, on that
9 basis, denies them.

10 64. Answering Paragraph 64, Sharp states that the allegations in the first
11 sentence are explanations of terminology to which no response is required. Sharp is
12 without knowledge or information sufficient to form a belief as to the truth of the
13 remaining allegations in Paragraph 64 and, on that basis, denies them.

14 65. Answering Paragraph 65, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in Paragraph 65 and, on that
16 basis, denies them.

17 66. Answering Paragraph 66, Sharp is without knowledge or information
18 sufficient to form a belief as to the truth of the allegations in Paragraph 66 and, on that
19 basis, denies them.

20 67. Answering Paragraph 67, Sharp is without knowledge or information
21 sufficient to form a belief as to the truth of the allegations in Paragraph 67 and, on that
22 basis, denies them.

23 68. Answering Paragraph 68, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations in Paragraph 68 and, on that
25 basis, denies them.

26 69. Answering Paragraph 69, Sharp states that the allegations in the first
27 sentence are explanations of terminology to which no response is required. Sharp is
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1 without knowledge or information sufficient to form a belief as to the truth of the
2 remaining allegations in Paragraph 69 and, on that basis, denies them.

3 70. Answering Paragraph 70, Sharp is without knowledge or information
4 sufficient to form a belief as to the truth of the allegations in Paragraph 70 and, on that
5 basis, denies them.

6 71. Answering Paragraph 71, Sharp states that the allegations in the first
7 sentence are explanations of terminology to which no response is required. Sharp is
8 without knowledge or information sufficient to form a belief as to the truth of the
9 remaining allegations in Paragraph 71 and, on that basis, denies them.

10 72. Answering Paragraph 72, Sharp admits the allegations in the first sentence
11 and admits that during the period 1996 – 2006, Sharp manufactured, marketed, sold or
12 distributed LCD panels, or products containing such panels, that were ultimately sold to
13 customers in the United States.

14 73. Answering Paragraph 73, Sharp admits that Sharp Electronics is wholly
15 owned by Sharp; denies that Sharp Electronics is wholly controlled by Sharp; admits that
16 its principal place of business is One Sharp Plaza, Mahwah, New Jersey 07430; and
17 admits that, during the period 1996 – 2006, Sharp Electronics sold and distributed LCD
18 panels, or products containing such panels, manufactured by Sharp, to customers in the
19 United States.

20 74. Answering Paragraph 74, Sharp states that the allegations in the first
21 sentence are explanations of terminology to which no response is required. Sharp avers,
22 however, that Paragraph 74 renders the Amended Complaint indefinite and uncertain as to
23 Sharp and Sharp Electronics. Sharp denies the remaining allegations in Paragraph 74.

24 75. Answering Paragraph 75, Sharp is without knowledge or information
25 sufficient to form a belief as to the truth of the allegations in Paragraph 75 and, on that
26 basis, denies them.

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1 76. Answering Paragraph 76, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 76 and, on that
3 basis, denies them.

4 77. Answering Paragraph 77, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 77 and, on that
6 basis, denies them.

7 78. Answering Paragraph 78, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 78 and, on that
9 basis, denies them.

10 79. Answering Paragraph 79, Sharp states that the allegations in the first
11 sentence are explanations of terminology to which no response is required. Sharp is
12 without knowledge or information sufficient to form a belief as to the truth of the
13 remaining allegations in Paragraph 79 and, on that basis, denies them.

14 80. Answering Paragraph 80, to the extent the allegations in Paragraph 80
15 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
16 information sufficient to form a belief as to the truth of the allegations and, on that basis,
17 denies them. To the extent the allegations in Paragraph 80 concern Sharp or Sharp
18 Electronics, Sharp denies them.

19 81. Answering Paragraph 81, to the extent the allegations in Paragraph 81
20 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
21 information sufficient to form a belief as to the truth of the allegations and, on that basis,
22 denies them. To the extent the allegations in Paragraph 81 concern Sharp or Sharp
23 Electronics, Sharp denies them.

24 82. Answering Paragraph 82, to the extent the allegations in Paragraph 82
25 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
26 information sufficient to form a belief as to the truth of the allegations and, on that basis,
27 denies them. To the extent the allegations in Paragraph 82 concern Sharp or Sharp
28 Electronics, Sharp denies them.

1 83. Answering Paragraph 83, to the extent the allegations in Paragraph 83
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of the allegations and, on that basis,
4 denies them. To the extent the allegations in Paragraph 83 concern Sharp or Sharp
5 Electronics, Sharp denies them.

6 84. Answering Paragraph 84, to the extent the allegations in Paragraph 84
7 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
8 information sufficient to form a belief as to the truth of the allegations and, on that basis,
9 denies them. To the extent the allegations in Paragraph 84 concern Sharp or Sharp
10 Electronics, Sharp denies them.

11 85. Answering Paragraph 85, Sharp admits that LCD panels are used in a
12 number of products and that some televisions, computer monitors, notebook and laptop
13 computers, mobile wireless handsets, and digital cameras contain LCD panels. Sharp
14 Electronics lacks sufficient knowledge or information to form a belief as to the truth of the
15 remaining allegations in Paragraph 85 and, on that basis, denies them.

16 86. Answering Paragraph 86, Sharp denies the allegations in the first sentence
17 and states that it is without knowledge or information sufficient to form a belief as to the
18 truth of the allegations in the second sentence and, on that basis, denies them.

19 87. Answering Paragraph 87, Sharp denies that “LCD Panels” as defined in the
20 Amended Complaint comprise a single market; admits that increased demand for mobile
21 wireless handsets has led to increased demand for LCD panels designed for such handsets;
22 and states that it is without knowledge or information sufficient to form a belief as to the
23 truth of the remaining allegations of Paragraph 87 and, on that basis, denies them.

24 88. Sharp denies the allegations in Paragraph 88.

25 89. Sharp denies the allegations in Paragraph 89.

26 90. Sharp denies the allegations in Paragraph 90.

27 91. Sharp denies the allegations in Paragraph 91.

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1 92. Answering Paragraph 92, Sharp denies the allegations in the first sentence
2 and states that it is without knowledge or information sufficient to form a belief as to the
3 truth of the remaining allegations and, on that basis, denies them.

4 93. Answering Paragraph 93, Sharp denies the allegations in the first and third
5 sentences and admits the allegations of the second sentence.

6 94. Sharp denies the allegations in Paragraph 94.

7 95. Answering Paragraph 95, Sharp admits that Fujitsu, Ltd. transferred its
8 LCD business to Sharp in 2005; states that it lacks sufficient knowledge or information
9 about the other corporate transactions listed in Paragraph 95 to form a belief as to the truth
10 of the allegations concerning those transactions and, on that basis, denies those
11 allegations; and otherwise denies the allegations of Paragraph 95.

12 96. Answering Paragraph 96, to the extent the allegations in Paragraph 96
13 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
14 information sufficient to form a belief as to the truth of the allegations and, on that basis,
15 denies them. To the extent the allegations in Paragraph 96 concern Sharp or Sharp
16 Electronics, Sharp denies them.

17 97. Answering Paragraph 97, to the extent the allegations in Paragraph 97
18 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
19 information sufficient to form a belief as to the truth of those allegations and, on that basis,
20 denies them. To the extent the allegations in Paragraph 97 concern Sharp or Sharp
21 Electronics, Sharp denies them.

22 98. Answering Paragraph 98, Sharp is without knowledge or information
23 sufficient to form a belief as to the truth of the allegations in the first sentence of
24 Paragraph 98 and, on that basis, denies them. To the extent the remaining allegations in
25 Paragraph 98 concern defendants other than Sharp or Sharp Electronics, Sharp is without
26 knowledge or information sufficient to form a belief as to the truth of those allegations
27 and, on that basis, denies them. To the extent the remaining allegations in Paragraph 98
28 concern Sharp or Sharp Electronics, Sharp denies them.

1 99. Answering Paragraph 99, to the extent the allegations in Paragraph 99
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of the allegations and, on that basis,
4 denies them. To the extent the allegations in Paragraph 99 concern Sharp or Sharp
5 Electronics, Sharp denies them.

6 100. Answering Paragraph 100, to the extent the allegations in Paragraph 100
7 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
8 information sufficient to form a belief as to the truth of the allegations and, on that basis,
9 denies them. To the extent the allegations in Paragraph 100 concern Sharp or Sharp
10 Electronics, Sharp denies them.

11 101. Answering Paragraph 101, to the extent the allegations in Paragraph 101
12 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
13 information sufficient to form a belief as to the truth of the allegations and, on that basis,
14 denies them. To the extent the allegations in Paragraph 101 concern Sharp or Sharp
15 Electronics, Sharp denies them.

16 102. Answering Paragraph 102, to the extent the allegations in Paragraph 102
17 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
18 information sufficient to form a belief as to the truth of the allegations and, on that basis,
19 denies them. To the extent the allegations in Paragraph 102 concern Sharp or Sharp
20 Electronics, Sharp denies them.

21 103. Answering Paragraph 103, to the extent the allegations in Paragraph 103
22 purport to summarize testimony of H.S. Kim or admissions by Samsung, that testimony
23 and those admissions speak for themselves and no response is required. To the extent the
24 remaining allegations of Paragraph 103 concern defendants other than Sharp or Sharp
25 Electronics, Sharp is without knowledge or information sufficient to form a belief as to the
26 truth of the allegations and, on that basis, denies them. To the extent the remaining
27 allegations in Paragraph 103 concern Sharp or Sharp Electronics, Sharp denies them.

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1 104. Answering Paragraph 104, to the extent the allegations in Paragraph 104
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of the allegations and, on that basis,
4 denies them. To the extent the allegations in Paragraph 104 concern Sharp or Sharp
5 Electronics, Sharp denies them. To the extent the allegations in Paragraph 104 purport to
6 summarize testimony from other defendants, that testimony speaks for itself.

7 105. Answering Paragraph 105, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 105 and, on that
9 basis, denies them. To the extent the allegations in Paragraph 105 purport to summarize
10 testimony from other defendants, that testimony speaks for itself.

11 106. Answering Paragraph 106, to the extent the allegations in Paragraph 106
12 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
13 information sufficient to form a belief as to the truth of the allegations and, on that basis,
14 denies them. To the extent the allegations in Paragraph 106 concern Sharp or Sharp
15 Electronics, Sharp denies them.

16 107. Sharp is without knowledge or information sufficient to form a belief as to
17 the truth of the allegations in Paragraph 107 and, on that basis, denies them.

18 108. Sharp is without knowledge or information sufficient to form a belief as to
19 the truth of the allegations in Paragraph 108 and, on that basis, denies them. To the extent
20 the allegations in Paragraph 108 concern Sharp or Sharp Electronics, Sharp denies them.

21 109. Sharp denies the allegations in Paragraph 109.

22 110. Answering Paragraph 110, to the extent the allegations in Paragraph 110
23 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
24 information sufficient to form a belief as to the truth of the allegations and, on that basis,
25 denies them. To the extent the allegations in Paragraph 110 concern Sharp or Sharp
26 Electronics, Sharp denies them.

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1 111. Answering Paragraph 111, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of those allegations and, on that basis, denies
3 them.

4 112. Answering Paragraph 112, to the extent the allegations in Paragraph 112
5 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
6 information sufficient to form a belief as to the truth of those allegations and, on that basis,
7 denies them. To the extent the allegations in Paragraph 112 concern Sharp or Sharp
8 Electronics, Sharp denies them.

9 113. Answering Paragraph 113, to the extent the allegations in Paragraph 113
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of those allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 113 concern Sharp or Sharp
13 Electronics, Sharp denies them.

14 114. Answering Paragraph 114, to the extent the allegations in Paragraph 114
15 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
16 information sufficient to form a belief as to the truth of those allegations and, on that basis,
17 denies them. To the extent the allegations in Paragraph 114 concern Sharp or Sharp
18 Electronics, Sharp denies them.

19 115. Answering Paragraph 115, to the extent the allegations in Paragraph 115
20 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
21 information sufficient to form a belief as to the truth of those allegations and, on that basis,
22 denies them. To the extent the allegations in Paragraph 115 concern Sharp or Sharp
23 Electronics, Sharp denies them.

24 116. Answering Paragraph 116, to the extent the allegations in Paragraph 116
25 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
26 information sufficient to form a belief as to the truth of those allegations and, on that basis,
27 denies them. To the extent the allegations in Paragraph 116 concern Sharp or Sharp
28 Electronics, Sharp denies them.

1 117. Answering Paragraph 117, to the extent the allegations in Paragraph 117
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of those allegations and, on that basis,
4 denies them. To the extent the allegations in Paragraph 117 concern Sharp or Sharp
5 Electronics, Sharp denies them.

6 118. Answering Paragraph 118, to the extent the allegations in Paragraph 118
7 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
8 information sufficient to form a belief as to the truth of those allegations and, on that basis,
9 denies them. To the extent the allegations in Paragraph 118 concern Sharp or Sharp
10 Electronics, Sharp denies them.

11 119. Answering Paragraph 119, to the extent the allegations in Paragraph 119
12 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
13 information sufficient to form a belief as to the truth of those allegations and, on that basis,
14 denies them. To the extent the allegations in Paragraph 119 concern Sharp or Sharp
15 Electronics, Sharp denies them.

16 120. Answering Paragraph 120, to the extent the allegations in Paragraph 120
17 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
18 information sufficient to form a belief as to the truth of those allegations and, on that basis,
19 denies them. To the extent the allegations in Paragraph 120 concern Sharp or Sharp
20 Electronics, Sharp denies them.

21 121. Answering Paragraph 121, to the extent the allegations in Paragraph 121
22 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
23 information sufficient to form a belief as to the truth of those allegations and, on that basis,
24 denies them. To the extent the allegations in Paragraph 121 concern Sharp or Sharp
25 Electronics, Sharp denies them.

26 122. Answering Paragraph 122, to the extent the allegations in Paragraph 122
27 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
28 information sufficient to form a belief as to the truth of those allegations and, on that basis,

1 denies them. To the extent the allegations in Paragraph 122 concern Sharp or Sharp
2 Electronics, Sharp denies them.

3 123. Answering Paragraph 123, to the extent the allegations in Paragraph 123
4 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
5 information sufficient to form a belief as to the truth of those allegations and, on that basis,
6 denies them. To the extent the allegations in Paragraph 123 concern Sharp or Sharp
7 Electronics, Sharp denies them.

8 124. Answering Paragraph 124, Sharp is without knowledge or information
9 sufficient to form a belief as to the truth of the allegations in Paragraph 124 and, on that
10 basis, denies them.

11 125. Answering Paragraph 125, Sharp is without knowledge or information
12 sufficient to form a belief as to the truth of the allegations in Paragraph 125 and, on that
13 basis, denies them.

14 126. Answering Paragraph 126, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in Paragraph 126 and, on that
16 basis, denies them.

17 127. Answering Paragraph 127, to the extent the allegations in Paragraph 127
18 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
19 information sufficient to form a belief as to the truth of those allegations and, on that basis,
20 denies them. To the extent the allegations in Paragraph 127 purport to summarize
21 documents, the documents speak for themselves. To the extent the allegations in
22 Paragraph 127 concern Sharp or Sharp Electronics, Sharp denies them.

23 128. Answering Paragraph 128, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations in Paragraph 128 and, on that
25 basis, denies them.

26 129. Answering Paragraph 129, Sharp is without knowledge or information
27 sufficient to form a belief as to the truth of the allegations in Paragraph 129 and, on that
28 basis, denies them.

1 130. Answering Paragraph 130, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 130, and, on that
3 basis, denies them.

4 131. Answering Paragraph 131, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 131 and, on that
6 basis, denies them.

7 132. Answering Paragraph 132, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 132 and, on that
9 basis, denies them.

10 133. Answering Paragraph 133, to the extent the allegations in Paragraph 133
11 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
12 information sufficient to form a belief as to the truth of those allegations and, on that basis,
13 denies them. To the extent the allegations in Paragraph 133 concern Sharp or Sharp
14 Electronics, Sharp denies them.

15 134. Answering Paragraph 134, Sharp is without knowledge or information
16 sufficient to form a belief as to the truth of the allegations in Paragraph 134 and, on that
17 basis, denies them. To the extent the allegations in Paragraph 134 summarize Epson's
18 plea agreement, Sharp states that the plea agreement speaks for itself.

19 135. Answering Paragraph 135, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 135 and, on that
21 basis, denies them.

22 136. Answering Paragraph 136, Sharp is without knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 136 and, on that
24 basis, denies them.

25 137. Answering Paragraph 137, Sharp is without knowledge or information
26 sufficient to form a belief as to the truth of the allegations in Paragraph 137 and, on that
27 basis, denies them.

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1 138. Answering Paragraph 138, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 138 and, on that
3 basis, denies them.

4 139. Answering Paragraph 139, Sharp is without knowledge or information
5 sufficient to form a belief as to the truth of the allegations in Paragraph 139 and, on that
6 basis, denies them.

7 140. Answering Paragraph 140, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 140 and, on that
9 basis, denies them.

10 141. Answering Paragraph 141, Sharp is without knowledge or information
11 sufficient to form a belief as to the truth of the allegations in Paragraph 141 and, on that
12 basis, denies them.

13 142. Answering Paragraph 142, Sharp is without knowledge or information
14 sufficient to form a belief as to the truth of the allegations in Paragraph 142 and, on that
15 basis, denies them.

16 143. Answering Paragraph 143, Sharp states that the deposition testimony of
17 H.B. Suh speaks for itself. To the extent the remaining allegations in Paragraph 143
18 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
19 information sufficient to form a belief as to the truth of those allegations and, on that basis,
20 denies them. To the extent the remaining allegations in Paragraph 143 concern Sharp or
21 Sharp Electronics, Sharp denies them.

22 144. Answering Paragraph 144, to the extent the allegations in Paragraph 144
23 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
24 information sufficient to form a belief as to the truth of those allegations and, on that basis,
25 denies them. To the extent the allegations in Paragraph 144 concern Sharp or Sharp
26 Electronics, Sharp denies them.

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1 145. Answering Paragraph 145, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 145 and, on that
3 basis, denies them.

4 146. Sharp denies the allegations in Paragraph 146.

5 147. Sharp admits that Brian Graham was formerly a Global Accounts Manager
6 for Sharp Electronics; that his job duties included gathering price and market information
7 from all appropriate sources; that on one or more occasions he communicated with Mr.
8 Gerisch, Mr. O'Donovan, Mr. Hansen, Ms. Caperton, and Mr. Hertwick; and that some of
9 those communications concerned conditions in the LCD market, including prices. Sharp
10 otherwise denies the allegations in Paragraph 147.

11 148. Answering Paragraph 148, Sharp admits that Sharp's plea agreement
12 covers TFT-LCDs sold to Apple for iPod portable music players and to Motorola for
13 certain mobile wireless handsets, over specified time periods. Sharp otherwise denies the
14 allegations of Paragraph 148.

15 149. Answering Paragraph 149, Sharp is without knowledge or information
16 sufficient to form a belief as to the truth of the allegations in Paragraph 149 and, on that
17 basis, denies them.

18 150. Answering Paragraph 150, to the extent the allegations in Paragraph 150
19 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
20 information sufficient to form a belief as to the truth of those allegations and, on that basis,
21 denies them. To the extent the allegations in Paragraph 150 concern Sharp or Sharp
22 Electronics, Sharp denies them.

23 151. Answering Paragraph 151, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations in Paragraph 151 and, on that
25 basis, denies them.

26 152. Answering Paragraph 152, Sharp is without knowledge or information
27 sufficient to form a belief as to the truth of the allegations in Paragraph 152 and, on that
28 basis, denies them.

1 153. Answering Paragraph 153, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 153 and, on that
3 basis, denies them.

4 154. Answering Paragraph 154, to the extent the allegations in Paragraph 154
5 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
6 information sufficient to form a belief as to the truth of those allegations and, on that basis,
7 denies them. To the extent the allegations in Paragraph 154 concern Sharp or Sharp
8 Electronics, Sharp denies them.

9 155. Answering Paragraph 155, to the extent the allegations in Paragraph 155
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of those allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 155 concern Sharp or Sharp
13 Electronics, Sharp denies them.

14 156. Answering Paragraph 156, to the extent the allegations in Paragraph 156
15 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
16 information sufficient to form a belief as to the truth of those allegations and, on that basis,
17 denies them. To the extent the allegations in Paragraph 156 concern Sharp or Sharp
18 Electronics, Sharp refers Plaintiff to Sharp's plea agreement and otherwise denies them.

19 157. Answering Paragraph 157, to the extent the allegations purport to
20 summarize the testimony of James Yang, that testimony speaks for itself. To the extent
21 the remaining allegations in Paragraph 157 concern defendants other than Sharp or Sharp
22 Electronics, Sharp is without knowledge or information sufficient to form a belief as to the
23 truth of the allegations and, on that basis, denies them. To the extent the allegations in
24 Paragraph 157 concern Sharp or Sharp Electronics, Sharp denies them.

25 158. Answering Paragraph 158, to the extent the allegations in Paragraph 158
26 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
27 information sufficient to form a belief as to the truth of those allegations and, on that basis,
28 denies them. Sharp is also without knowledge or information sufficient to form a belief as

1 to the truth of the allegations in the second sentence of Paragraph 158 and, on that basis,
2 denies them. With respect to the third sentence of Paragraph 158, Sharp admits that Brian
3 Graham, a former Sharp Electronics employee, regularly quoted prices to Dell for TFT-
4 LCD panels and occasionally quoted prices to Dell for non-TFT-LCD panels, but denies
5 that he did so pursuant to instructions from a single international Sharp sales team located
6 in Japan. With respect to the fourth sentence of Paragraph 158, Sharp refers Plaintiff to
7 Sharp's plea agreement and otherwise denies the allegations.

8 159. Answering Paragraph 159, to the extent the allegations in Paragraph 159
9 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
10 information sufficient to form a belief as to the truth of the allegations and, on that basis,
11 denies them. Sharp admits that Brian Graham's duties as a Sharp Electronics employee
12 included gathering price and market information from all appropriate sources; that on one
13 or more occasions, he communicated with Michael Hanson of Samsung; and that some of
14 those communications concerned conditions in LCD markets, including prices. Sharp
15 otherwise denies the allegations in Paragraph 159.

16 160. Answering Paragraph 160, to the extent the allegations in Paragraph 160
17 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
18 information sufficient to form a belief as to the truth of the allegations and, on that basis,
19 denies them. To the extent the allegations in Paragraph 160 concern Sharp or Sharp
20 Electronics, Sharp denies them.

21 161. Answering Paragraph 161, to the extent the allegations in Paragraph 161
22 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
23 information sufficient to form a belief as to the truth of the allegations and, on that basis,
24 denies them. To the extent the allegations in Paragraph 161 concern Sharp or Sharp
25 Electronics, Sharp denies them.

26 162. Answering Paragraph 162, to the extent the allegations purport to quote or
27 summarize testimony of H.B. Suh or documents produced by other defendants, that
28 testimony and those documents speak for themselves. To the extent the remaining

1 allegations in Paragraph 162 concern defendants other than Sharp or Sharp Electronics,
2 Sharp is without knowledge or information sufficient to form a belief as to the truth of the
3 allegations and, on that basis, denies them. To the extent the allegations in Paragraph 162
4 concern Sharp or Sharp Electronics, Sharp refers Plaintiff to Sharp's plea agreement and
5 otherwise denies the allegations.

6 163. Answering Paragraph 163, Sharp admits that many defendants conducted
7 operations in California during the period from January 1, 1996 through December 11,
8 2006. Sharp states that defendants' plea agreements speak for themselves and denies that
9 Sharp or Sharp Electronics were parties to the conspiracies described in the plea
10 agreements of other defendants. To the extent the allegations in Paragraph 163 concern
11 defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
12 information sufficient to form a belief as to the truth of those allegations and, on that basis,
13 denies them. Sharp otherwise denies the allegations of Paragraph 163.

14 164. Answering Paragraph 164, to the extent the allegations in Paragraph 164
15 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
16 information sufficient to form a belief as to the truth of those allegations and, on that basis,
17 denies them. To the extent the allegations in Paragraph 164 concern Sharp or Sharp
18 Electronics, Sharp denies them.

19 165. Answering Paragraph 165, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 165 and, on that
21 basis, denies them.

22 166. Answering Paragraph 166, Sharp is without knowledge or information
23 sufficient to form a belief as to the truth of the allegations in Paragraph 166 and, on that
24 basis, denies them.

25 167. Answering Paragraph 167, Sharp is without knowledge or information
26 sufficient to form a belief as to the truth of the allegations in Paragraph 167 and, on that
27 basis, denies them.

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1 168. Answering Paragraph 168, to the extent the allegations in Paragraph 168
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of those allegations and, on that basis,
4 denies them. To the extent the allegations in Paragraph 168 concern Sharp or Sharp
5 Electronics, Sharp denies them.

6 169. Answering Paragraph 169, to the extent the allegations in Paragraph 169
7 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
8 information sufficient to form a belief as to the truth of those allegations and, on that basis,
9 denies them. To the extent the allegations in Paragraph 169 concern Sharp or Sharp
10 Electronics, Sharp denies them.

11 170. Answering Paragraph 170, Sharp is without knowledge or information
12 sufficient to form a belief as to the truth of the allegations in Paragraph 170 and, on that
13 basis, denies them.

14 171. Answering Paragraph 171, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in Paragraph 171 and, on that
16 basis, denies them.

17 172. Answering Paragraph 172, Sharp admits that Sharp Electronics has
18 maintained offices in San Jose, California. Sharp denies that it maintained offices in San
19 Jose, California. Otherwise, Sharp denies the allegations of Paragraph 172.

20 173. Answering Paragraph 173, to the extent the allegations in Paragraph 173
21 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
22 information sufficient to form a belief as to the truth of the allegations and, on that basis,
23 denies them. To the extent the allegations in Paragraph 173 concern Sharp or Sharp
24 Electronics, Sharp denies them.

25 174. Answering Paragraph 174, to the extent that the allegations contained in
26 Paragraph 174 refer to news reports, public statements by government authorities, or other
27 defendants' public filings, those documents speak for themselves and no response is
28 required. Otherwise, Sharp is without knowledge or information sufficient to form a

1 belief as to the truth of the remaining allegations in Paragraph 174 and, on that basis,
2 denies them.

3 175. Answering Paragraph 175, to the extent that the allegations contained in
4 Paragraph 175 refer to news reports, public statements by government authorities, or other
5 defendants' public filings, those documents speak for themselves and no response is
6 required. Otherwise, Sharp is without knowledge or information sufficient to form a
7 belief as to the truth of the remaining allegations in Paragraph 175 and, on that basis,
8 denies them.

9 176. Answering Paragraph 176, Sharp is without knowledge or information
10 sufficient to form a belief as to the truth of the allegations in Paragraph 176 and, on that
11 basis, denies them.

12 177. Answering Paragraph 177, Sharp states that Chi Mei Optoelectronics's plea
13 agreement speaks for itself.

14 178. Answering Paragraph 178, Sharp states that LG Display's plea agreement
15 speaks for itself.

16 179. Answering Paragraph 179, Sharp states that the plea agreement of Chung
17 Suk "C.S." Chung speaks for itself.

18 180. Answering Paragraph 180, Sharp states that the plea agreement of Bock
19 Kwon speaks for itself.

20 181. Answering Paragraph 181, Sharp states that the indictment described in
21 Paragraph 181 speaks for itself.

22 182. Answering Paragraph 182, Sharp states that Chunghwa's plea agreement
23 speaks for itself.

24 183. Answering Paragraph 183, Sharp states that the plea agreements of Chin-
25 Chun "C.C." Liu, Hseuh-Lung "Brian" Lee and Chieng-Hon "Frank" Lin speak for
26 themselves.

27 184. Answering Paragraph 184, Sharp states that the indictments described in
28 Paragraph 184 speak for themselves.

1 185. Answering Paragraph 185, Sharp admits that Sharp pleaded guilty to
2 charges of separate bilateral conspiracies to fix the prices of TFT-LCD panels sold: to Dell
3 from on or about April 1, 2001 to on or about December 1, 2006; to Apple for use in iPod
4 portable music players from on or about September 1, 2005 to on or about December 1,
5 2006; and to Motorola for use in Razr mobile phones from the fall of 2005 to the middle
6 of 2006. Sharp denies that the basis for Sharp's plea is accurately described in Paragraph
7 185 and states that Sharp's plea agreement speaks for itself. Sharp denies the allegations
8 in the third sentence of Paragraph 185 and states that Sharp is without knowledge or
9 information sufficient to form a belief as to the truth of the allegations in the fourth
10 sentence of Paragraph 185 and, on that basis, denies them.

11 186. Sharp denies the allegations in Paragraph 186.

12 187. Answering Paragraph 187, Sharp states that Epson's plea agreement speaks
13 for itself and further states that Sharp is without knowledge or information sufficient to
14 form a belief as to the truth of the allegations in the third sentence of Paragraph 187 and,
15 on that basis, denies them.

16 188. Answering Paragraph 188, Sharp is without knowledge or information
17 sufficient to form a belief as to the truth of the allegations in Paragraph 188 and, on that
18 basis, denies them.

19 189. Answering Paragraph 189, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 189 and, on that
21 basis, denies them.

22 190. Answering Paragraph 190, the first sentence is an explanation of
23 terminology to which no response is required. To the extent the allegations in Paragraph
24 190 concern defendants other than Sharp or Sharp Electronics, Sharp is without
25 knowledge or information sufficient to form a belief as to the truth of those allegations
26 and, on that basis, denies them. To the extent the allegations in Paragraph 190 concern
27 Sharp or Sharp Electronics, Sharp denies them.

28 191. Sharp denies the allegations in Paragraph 191.

1 192. Answering Paragraph 192, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in the first sentence of
3 Paragraph 192 and, on that basis, denies them. Sharp denies the remaining allegations in
4 Paragraph 192.

5 193. Answering Paragraph 193, Sharp admits the allegations in the second
6 sentence and denies the allegations in the first and third sentences.

7 194. Answering Paragraph 194, Sharp is without knowledge or information
8 sufficient to form a belief as to the truth of the allegations in Paragraph 194 and, on that
9 basis, denies them.

10 195. Answering Paragraph 195, to the extent the allegations in Paragraph 195
11 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
12 information sufficient to form a belief as to the truth of the allegations and, on that basis,
13 denies them. To the extent the allegations in Paragraph 195 concern Sharp or Sharp
14 Electronics, Sharp denies them.

15 196. Answering Paragraph 196, Sharp admits that the prices of TFT-LCD panels
16 of a given size, resolution and application have tended to decline over time. Sharp
17 otherwise denies the allegations of Paragraph 196.

18 197. Answering Paragraph 197, to the extent that the allegations contained in
19 Paragraph 197 purport to quote from a magazine, those quoted statements speak for
20 themselves and no response is required. Sharp otherwise denies the allegations of
21 Paragraph 197.

22 198. Answering Paragraph 198, to the extent that the allegations contained in
23 Paragraph 198 purport to summarize analysts' reports, those reports speak for themselves
24 and no response is required. Insofar as Paragraph 198 alleges that prices for TFT-LCD
25 panels exhibited an unusual increase in 1996, Sharp denies that allegation.

26 199. Answering Paragraph 199, Sharp admits that new generations of fabs,
27 generally using larger pieces of glass, have entered production since 1996. To the extent
28 the remaining allegations in Paragraph 199 concern defendants other than Sharp or Sharp

1 Electronics, Sharp is without knowledge or information sufficient to form a belief as to the
2 truth of the allegations and, on that basis, denies them. To the extent these allegations
3 concern Sharp or Sharp Electronics, Sharp denies them.

4 200. Answering Paragraph 200, Sharp denies the allegations in the first sentence
5 of Paragraph 200. Sharp admits that some of the major component parts for an LCD Panel
6 include the backlight, color filter, PCB polarizer, and glass. Sharp is without knowledge
7 or information sufficient to form a belief as to the truth of the remaining allegations in
8 Paragraph 200, and, on that basis, denies them.

9 201. Answering Paragraph 201, to the extent the allegations in Paragraph 201
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of the allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 201 concern Sharp or Sharp
13 Electronics, Sharp denies them.

14 202. Answering Paragraph 202, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in Paragraph 202 and, on that
16 basis, denies them.

17 203. Answering Paragraph 203, to the extent the allegations in Paragraph 203
18 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
19 information sufficient to form a belief as to the truth of the allegations and, on that basis,
20 denies them. To the extent the allegations in Paragraph 203 concern Sharp or Sharp
21 Electronics, Sharp denies them.

22 204. Answering Paragraph 204, to the extent the allegations in Paragraph 204
23 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
24 information sufficient to form a belief as to the truth of the allegations and, on that basis,
25 denies them. To the extent the allegations in Paragraph 204 concern Sharp or Sharp
26 Electronics, Sharp denies them.

27 205. Answering Paragraph 205, to the extent the allegations in Paragraph 205
28 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or

1 information sufficient to form a belief as to the truth of the allegations and, on that basis,
2 denies them. To the extent the allegations in Paragraph 205 concern Sharp or Sharp
3 Electronics, Sharp denies them.

4 206. Answering Paragraph 206, Sharp admits the allegations in the first sentence
5 of Paragraph 206; denies that TFT-LCD panels and STN-STD panels “were close
6 substitutes for each other;” and states that it is without knowledge or information
7 sufficient to form a belief as to the truth of the remaining allegations in Paragraph 206
8 and, on that basis, denies them.

9 207. Answering Paragraph 207, to the extent the allegations in Paragraph 207
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of the allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 207 concern Sharp or Sharp
13 Electronics, Sharp admits that Sharp manufactured both TFT-LCD Panels and STN-LCD
14 Panels and otherwise denies the allegations in Paragraph 207.

15 208. Answering Paragraph 208, to the extent the allegations in Paragraph 208
16 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
17 information sufficient to form a belief as to the truth of the allegations and, on that basis,
18 denies them. To the extent the allegations in Paragraph 208 concern Sharp or Sharp
19 Electronics, Sharp denies them.

20 209. Answering Paragraph 209, to the extent the allegations in Paragraph 209
21 purport to summarize testimony of H.B. Suh, that testimony speaks for itself and no
22 response is required. To the extent the remaining allegations in Paragraph 209 concern
23 defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
24 information sufficient to form a belief as to the truth of the allegations and, on that basis,
25 denies them. To the extent the remaining allegations in Paragraph 209 concern Sharp or
26 Sharp Electronics, Sharp denies them.

27 210. Paragraph 210 purports to quote testimony by H.B. Suh, which speaks for
28 itself and to which no response is required.

1 211. Answering Paragraph 211, to the extent the allegations in Paragraph 211
2 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
3 information sufficient to form a belief as to the truth of the allegations and, on that basis,
4 denies them. Sharp admits that Brian Graham was formerly a Global Accounts Manager
5 for Sharp Electronics; that his job duties included gathering price and market information
6 from all appropriate sources; that Mr. Graham regularly quoted prices to Dell for TFT-
7 LCD panels and occasionally quoted prices to Dell for non- TFT-LCD panels; that on one
8 or more occasions, he communicated with with employees of Samsung, Toshiba, and LG;
9 and that some of those communications concerned conditions in LCD markets, including
10 prices. With respect to the remaining allegations in Paragraph 211, Sharp refers Plaintiff
11 to Sharp's plea agreement and otherwise denies the allegations.

12 212. Answering Paragraph 212, with respect to the first sentence in Paragraph
13 212, Sharp admits that Brian Graham regularly quoted prices to Dell for TFT-LCD panels
14 and occasionally quoted prices to Dell for non- TFT-LCD panels, but denies that he did so
15 pursuant to instructions from a single international Sharp sales team located in Japan.
16 With respect to the second sentence of Paragraph 212, Sharp refers Plaintiff to Sharp's
17 plea agreement and otherwise denies the allegations.

18 213. Sharp denies the allegations of Paragraph 213.

19 214. Answering Paragraph 214, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 214 and, on that
21 basis, denies them.

22 215. Answering Paragraph 215, Sharp denies the allegations of the first sentence
23 and states that it is without knowledge or information sufficient to form a belief as to the
24 truth of the allegations in the second sentence and, on that basis, denies them.

25 216. Answering Paragraph 216, Sharp is without knowledge or information
26 sufficient to form a belief as to the truth of the allegations in Paragraph 216 and, on that
27 basis, denies them.

28

1 217. Answering Paragraph 217, Sharp is without knowledge or information
2 sufficient to form a belief as to the truth of the allegations in Paragraph 217 and, on that
3 basis, denies them.

4 218. Answering Paragraph 218, Sharp admits that Sharp pleaded guilty to
5 charges of engaging in bilateral conspiracies to fix the price of TFT-LCD panels sold to
6 Motorola for use in Razr mobile phones from the fall of 2005 to the middle of 2006; states
7 that Sharp's plea agreement speaks for itself; and otherwise denies the allegations of
8 Paragraph 218.

9 219. Answering Paragraph 219, Sharp is without knowledge or information
10 sufficient to form a belief as to the truth of the allegations in Paragraph 219 and, on that
11 basis, denies them.

12 220. Answering Paragraph 220, Sharp admits that it pleaded guilty to charges of
13 engaging in bilateral conspiracies to fix the price of TFT-LCD panels sold to Motorola for
14 use in Razr mobile phones from the fall of 2005 to the middle of 2006 and further refers
15 Plaintiff to Sharp's plea agreement. To the extent the remaining allegations in Paragraph
16 220 concern defendants other than Sharp or Sharp Electronics, Sharp is without
17 knowledge or information sufficient to form a belief as to the truth of the allegations and,
18 on that basis, denies them. To the extent the allegations in Paragraph 220 concern Sharp
19 or Sharp Electronics, Sharp denies them.

20 221. Answering Paragraph 221, to the extent the allegations in Paragraph 221
21 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
22 information sufficient to form a belief as to the truth of the allegations and, on that basis,
23 denies them. To the extent the allegations in Paragraph 221 concern Sharp or Sharp
24 Electronics, Sharp denies them.

25 222. Answering Paragraph 222, to the extent the allegations in Paragraph 222
26 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
27 information sufficient to form a belief as to the truth of the allegations and, on that basis,
28

1 denies them. To the extent the allegations in Paragraph 222 concern Sharp or Sharp
2 Electronics, Sharp denies them.

3 223. Answering Paragraph 223, Sharp denies the allegations of the first sentence
4 and admits the allegations of the second and third sentences.

5 224. Answering Paragraph 224, Sharp states that it is without knowledge or
6 information sufficient to form a belief as to the truth of the allegations in Paragraph 224
7 and, on that basis, denies them.

8 225. Answering Paragraph 225, to the extent the allegations in Paragraph 225
9 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
10 information sufficient to form a belief as to the truth of the allegations and, on that basis,
11 denies them. To the extent the allegations in Paragraph 225 concern Sharp or Sharp
12 Electronics, Sharp denies them.

13 226. Answering Paragraph 226, Sharp states that it is without knowledge or
14 information sufficient to form a belief as to the truth of the allegations in Paragraph 226
15 and, on that basis, denies them.

16 227. Answering Paragraph 227, Sharp denies the allegations in the first
17 sentence. The second sentence purports to quote a 1999 email from Takeuchi Tomohito,
18 which speaks for itself and to which no response is required.

19 228. Answering Paragraph 228, Sharp is without knowledge or information
20 sufficient to form a belief as to the truth of the allegations in Paragraph 228 and, on that
21 basis, denies them.

22 229. Answering Paragraph 229, Sharp admits that Sharp pled guilty to charges
23 of fixing the price of TFT-LCD panels sold to Motorola for use in Razr mobile phones
24 from the fall of 2005 to the middle of 2006; states that Sharp's plea agreement speaks for
25 itself; and further states that it is without knowledge or information sufficient to form a
26 belief as to the truth of the remaining allegations and, on that basis, denies them.

27 230. Sharp denies the allegations in Paragraph 230.
28

1 231. Answering Paragraph 231, Sharp admits that several trade organizations
2 put on industry-wide meetings. To the extent the remaining allegations in Paragraph 231
3 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
4 information sufficient to form a belief as to the truth of the allegations and, on that basis,
5 denies them. To the extent the remaining allegations in Paragraph 231 concern Sharp or
6 Sharp Electronics, Sharp denies them.

7 232. Sharp is without knowledge or information sufficient to form a belief as to
8 the truth of the allegations in Paragraph 232 and, on that basis, denies them.

9 233. Sharp is without knowledge or information sufficient to form a belief as to
10 the truth of the allegations in Paragraph 233 and, on that basis, denies them.

11 234. Answering Paragraph 234, Sharp admits that it, Toshiba Corporation, and a
12 Japanese subsidiary of Samsung are members of SEAJ. Sharp denies the allegations of
13 the last sentence of Paragraph 234. Sharp is without knowledge of information sufficient
14 to form a belief as to the truth of the remaining allegations in Paragraph 234 and, on that
15 basis, denies them.

16 235. Answering Paragraph 235, Sharp admits that the Society of Information
17 Display put on multiple meetings each year, including some of the meetings specifically
18 described therein. Sharp is without knowledge or information sufficient to form a belief
19 as to the truth of the remaining allegations of Paragraph 235 and, on that basis, denies
20 them.

21 236. To the extent that Paragraph 236 purports to summarize trade show
22 presentations by other defendants or analysts, those presentations speak for themselves
23 and no response is required. Otherwise, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations of Paragraph 236 and, on that
25 basis, denies them.

26 237. To the extent that Paragraph 237 purports to summarize trade show
27 presentations by other defendants or analysts, these presentations speak for themselves and
28 no response is required. Otherwise, Sharp is without knowledge or information sufficient

1 to form a belief as to the truth of the allegations of Paragraph 237 and, on that basis,
2 denies them.

3 238. To the extent that Paragraph 238 purports to summarize presentations by
4 other defendants, those presentations speak for themselves and no response is required.
5 Otherwise, Sharp is without knowledge or information sufficient to form a belief as to the
6 truth of the allegations of Paragraph 238 and, on that basis, denies them.

7 239. Answering Paragraph 239, Sharp denies the allegations of the first sentence
8 and states that it is without knowledge or information sufficient to form a belief as to the
9 truth of the remaining allegations of Paragraph 239 and, on that basis, denies them.

10 240. Sharp is without knowledge or information sufficient to form a belief as to
11 the truth of the allegations in Paragraph 240 and, on that basis, denies them.

12 241. Answering Paragraph 241, Sharp is without knowledge or information
13 sufficient to form a belief as to the truth of the allegations of Paragraph 241 and, on that
14 basis, denies them, except that Sharp admits that Shigeaki Mizushima attended GFPC
15 2006.

16 242. To the extent Paragraph 242 purports to summarize statements by other
17 defendants, those statements speak for themselves and no response is required. Otherwise,
18 Sharp is without knowledge or information sufficient to form a belief as to the truth of the
19 allegation in Paragraph 242 and, on that basis, denies them.

20 243. Answering Paragraph 243, Sharp is without knowledge or information
21 sufficient to form a belief as to the truth of the allegations of Paragraph 243 and, on that
22 basis, denies them, except that Sharp admits that Shigeaki Mizushima attended GFPC
23 2006.

24 244. Answering Paragraph 244, to the extent the allegations in Paragraph 244
25 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
26 information sufficient to form a belief as to the truth of the allegations and, on that basis,
27 denies them. To the extent the allegations in Paragraph 244 concern Sharp or Sharp
28 Electronics, Sharp denies them.

1 245. Sharp denies the allegations in Paragraph 245.

2 246. Answering Paragraph 246, Sharp denies that there is a single “U.S. LCD
3 market” and states that it is without knowledge or information sufficient to form a belief
4 as to the truth of the remaining allegations in Paragraph 246 and, on that basis, denies
5 them.

6 247. Answering Paragraph 247, to the extent the allegations in Paragraph 247
7 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
8 information sufficient to form a belief as to the truth of the allegations and, on that basis,
9 denies them. To the extent the allegations in Paragraph 247 concern Sharp or Sharp
10 Electronics, Sharp denies them.

11 248. Answering Paragraph 248, Sharp admits that many defendants
12 manufactured LCD Products and sold them in the United States. To the extent the
13 remaining allegations in Paragraph 248 concern defendants other than Sharp or Sharp
14 Electronics, Sharp is without knowledge or information sufficient to form a belief as to the
15 truth of the allegations and, on that basis, denies them. To the extent the remaining
16 allegations in Paragraph 248 concern Sharp or Sharp Electronics, Sharp denies them.

17 249. Answering Paragraph 249, to the extent the allegations in Paragraph 249
18 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
19 information sufficient to form a belief as to the truth of the allegations and, on that basis,
20 denies them. To the extent the allegations in Paragraph 249 concern Sharp or Sharp
21 Electronics, Sharp denies them.

22 250. To the extent the allegations in Paragraph 250 purport to summarize and
23 quote complaints filed by Sharp and Samsung with the U.S. International Trade
24 Commission, those complaints speak for themselves and no response is required.
25 Otherwise, Sharp denies the allegations in Paragraph 250.

26 251. To the extent the allegations in Paragraph 251 purport to summarize and/or
27 quote defendants’ plea agreements, those plea agreements speak for themselves and no
28 response is required. Otherwise, Sharp denies the allegations in Paragraph 251.

1 252. Sharp denies the allegations in Paragraph 252.

2 253. Sharp denies the allegations in Paragraph 253.

3 254. Answering Paragraph 254, to the extent the allegations in Paragraph 254
4 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
5 information sufficient to form a belief as to the truth of the allegations and, on that basis,
6 denies them. To the extent the allegations of Paragraph 254 concern Sharp or Sharp
7 Electronics, Sharp denies them.

8 255. Answering Paragraph 255, Sharp is without knowledge or information
9 sufficient to form a belief as to the truth of the allegations in Paragraph 255 and, on that
10 basis, denies them.

11 256. Answering Paragraph 256, Sharp is without knowledge or information
12 sufficient to form a belief as to the truth of the allegations in Paragraph 256 and, on that
13 basis, denies them.

14 257. Answering Paragraph 257, Sharp is without knowledge or information
15 sufficient to form a belief as to the truth of the allegations in the first sentence of
16 Paragraph 257 and, on that basis, denies those allegations. Sharp denies the allegations in
17 the second sentence of Paragraph 257.

18 258. Answering Paragraph 258, Sharp denies that any “overcharges caused by
19 defendants’ conspiracy” were passed on to T-Mobile. Otherwise, Sharp is without
20 knowledge or information sufficient to form a belief as to the truth of the allegations in
21 Paragraph 258 and, on that basis, denies them.

22 259. Sharp denies the allegations in Paragraph 259.

23 260. Answering Paragraph 260, Sharp is without knowledge or information
24 sufficient to form a belief as to the truth of the allegations in the first sentence of
25 Paragraph 260 and, on that basis, denies them. To the extent the remaining allegations in
26 Paragraph 260 concern defendants other than Sharp or Sharp Electronics, Sharp is without
27 knowledge or information sufficient to form a belief as to the truth of the allegations and,
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1 on that basis, denies them. To the extent the remaining allegations in Paragraph 260
2 concern Sharp or Sharp Electronics, Sharp denies them.

3 261. Answering Paragraph 261, to the extent the remaining allegations in
4 Paragraph 261 concern defendants other than Sharp or Sharp Electronics, Sharp is without
5 knowledge or information sufficient to form a belief as to the truth of the allegations and,
6 on that basis, denies them. To the extent the remaining allegations in Paragraph 261
7 concern Sharp or Sharp Electronics, Sharp denies them.

8 262. Answering Paragraph 262, to the extent the allegations in Paragraph 262
9 purport to summarize or quote statements by other defendants, those statements speak for
10 themselves and no response is required. To the extent the remaining allegations in
11 Paragraph 262 concern defendants other than Sharp or Sharp Electronics, Sharp is without
12 knowledge or information sufficient to form a belief as to the truth of the allegations and,
13 on that basis, denies them. To the extent the remaining allegations in Paragraph 262
14 concern Sharp or Sharp Electronics, Sharp denies them.

15 263. Answering Paragraph 263, to the extent the allegations in Paragraph 263
16 purport to summarize or quote statements by other defendants, those statements speak for
17 themselves and no response is required. To the extent the remaining allegations in
18 Paragraph 263 concern defendants other than Sharp or Sharp Electronics, Sharp is without
19 knowledge or information sufficient to form a belief as to the truth of the allegations and,
20 on that basis, denies them. To the extent the remaining allegations in Paragraph 263
21 concern Sharp or Sharp Electronics, Sharp denies them.

22 264. Answering Paragraph 264, to the extent the allegations in Paragraph 264
23 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
24 information sufficient to form a belief as to the truth of the allegations and, on that basis,
25 denies them. To the extent the allegations in Paragraph 264 concern Sharp or Sharp
26 Electronics, Sharp denies them.

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1 265. Answering Paragraph 265, Sharp states that it is without knowledge or
2 information sufficient to form a belief as to the truth of the allegations in Paragraph 265
3 and, on that basis, denies them.

4 266. Answering Paragraph 266, to the extent the allegations in Paragraph 266
5 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
6 information sufficient to form a belief as to the truth of the allegations and, on that basis,
7 denies them. To the extent the allegations in Paragraph 266 concern Sharp or Sharp
8 Electronics, Sharp denies them.

9 267. Answering Paragraph 267, to the extent the allegations in Paragraph 267
10 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
11 information sufficient to form a belief as to the truth of the allegations and, on that basis,
12 denies them. To the extent the allegations in Paragraph 267 concern Sharp or Sharp
13 Electronics, Sharp denies them.

14 268. Answering Paragraph 268, to the extent the allegations in the first sentence
15 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
16 information sufficient to form a belief as to the truth of those allegations and, on that basis,
17 denies them. To the extent the allegations in Paragraph 268 concern Sharp or Sharp
18 Electronics, Sharp denies them. Sharp is without knowledge or information sufficient to
19 form a belief as to the remaining allegations in Paragraph 268, and, on that basis, denies
20 them.

21 269. Answering Paragraph 269, to the extent the allegations in the first sentence
22 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
23 information sufficient to form a belief as to the truth of those allegations and, on that basis,
24 denies them. To the extent the allegations in the first sentence concern Sharp or Sharp
25 Electronics, Sharp denies them. Sharp is without knowledge or information sufficient to
26 form a belief as to the truth of the remaining allegations in Paragraph 269 and, on that
27 basis, denies them.

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1 270. Sharp is without knowledge or information sufficient to form a belief as to
2 the truth of the allegations in Paragraph 270 and, on that basis, denies them.

3 271. Answering Paragraph 271, to the extent the allegations in the first sentence
4 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
5 information sufficient to form a belief as to the truth of those allegations and, on that basis,
6 denies them. To the extent the allegations in the first sentence concern Sharp or Sharp
7 Electronics, Sharp denies them. The remaining allegations in Paragraph 271 purport to
8 quote statements by other defendants or news reports, which statements speak for
9 themselves. Sharp is otherwise without knowledge or information sufficient form a belief
10 as to the truth of the remaining allegations in Paragraph 271 and, on that basis, denies
11 them.

12 272. Answering Paragraph 272, to the extent the allegations contained in
13 Paragraph 272 purport to summarize statements by other defendants or news reports, those
14 statements speak for themselves and no response is required. Sharp is otherwise without
15 knowledge or information sufficient to form a belief as to the truth of the allegations in
16 Paragraph 272 and, on that basis, denies them.

17 273. Answering Paragraph 273, to the extent the allegations contained in
18 Paragraph 273 concern defendants other than Sharp or Sharp Electronics, Sharp is without
19 knowledge or information sufficient to form a belief as to the truth of the allegations and,
20 on that basis, denies them. To the extent the allegations in Paragraph 273 concern Sharp
21 or Sharp Electronics, Sharp denies them.

22 274. Sharp is without knowledge or information sufficient to form a belief as to
23 the truth of the allegations in Paragraph 274 and, on that basis, denies them.

24 275. The allegations in Paragraph 275 are legal contentions to which no
25 response is required. To the extent any facts are alleged in Paragraph 275 to which a
26 response is required, Sharp denies them.

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1 276. The allegations in Paragraph 276 are legal contentions to which no
2 response is required. To the extent any facts are alleged in Paragraph 276 to which a
3 response is required, Sharp denies them.

4 277. The allegations in Paragraph 277 are legal contentions to which no
5 response is required. To the extent any facts are alleged in Paragraph 277 to which a
6 response is required, Sharp denies them.

7 278. The allegations in Paragraph 278 are legal contentions to which no
8 response is required. To the extent any facts are alleged in Paragraph 278 to which a
9 response is required, Sharp denies them.

10 279. The allegations in Paragraph 279 are legal contentions to which no
11 response is required. To the extent any facts are alleged in Paragraph 279 to which a
12 response is required, Sharp denies them.

13 280. Answering Paragraph 280, Sharp incorporates its responses to Paragraphs
14 1-279.

15 281. Answering Paragraph 281, to the extent the allegations in Paragraph 281
16 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
17 information sufficient to form a belief as to the truth of the allegations and, on that basis,
18 denies them. To the extent the allegations in Paragraph 281 concern Sharp or Sharp
19 Electronics, Sharp denies them.

20 282. Answering Paragraph 282, to the extent the allegations in Paragraph 282
21 concern defendants other than Sharp or Sharp Electronics, Sharp is without knowledge or
22 information sufficient to form a belief as to the truth of the allegations and, on that basis,
23 denies them. To the extent the allegations in Paragraph 282 concern Sharp or Sharp
24 Electronics, and the acts, practices, and course of conduct alleged in Paragraphs 1-281,
25 Sharp denies them.

26 283. Sharp denies the allegations in Paragraph 283.

27 284. Sharp denies the allegations in Paragraph 284.

28 285. Sharp denies the allegations in Paragraph 285.

1 286. Sharp denies the allegations in Paragraph 286.

2 287. Sharp states that no answer to Paragraph 287 is required due to the Court's
3 Order re: Defendants' Motions to Dismiss of February 6, 2012.

4 288. Sharp states that no answer to Paragraph 288 is required due to the Court's
5 Order re: Defendants' Motions to Dismiss of February 6, 2012.

6 289. Sharp states that no answer to Paragraph 289 is required due to the Court's
7 Order re: Defendants' Motions to Dismiss of February 6, 2012.

8 290. Sharp states that no answer to Paragraph 290 is required due to the Court's
9 Order re: Defendants' Motions to Dismiss of February 6, 2012.

10 291. Sharp states that no answer to Paragraph 291 is required due to the Court's
11 Order re: Defendants' Motions to Dismiss of February 6, 2012.

12 292. Sharp states that no answer to Paragraph 292 is required due to the Court's
13 Order re: Defendants' Motions to Dismiss of February 6, 2012.

14 293. Sharp states that no answer to Paragraph 293 is required due to the Court's
15 Order re: Defendants' Motions to Dismiss of February 6, 2012.

16 294. Sharp states that no answer to Paragraph 294 is required due to the Court's
17 Order re: Defendants' Motions to Dismiss of February 6, 2012.

18 295. Sharp states that no answer to Paragraph 295 is required due to the Court's
19 Order re: Defendants' Motions to Dismiss of February 6, 2012.

20 296. Sharp states that no answer to Paragraph 296 is required due to the Court's
21 Order re: Defendants' Motions to Dismiss of February 6, 2012.

22 297. Sharp states that no answer to Paragraph 297 is required due to the Court's
23 Order re: Defendants' Motions to Dismiss of February 6, 2012.

24 298. Sharp states that no answer to Paragraph 298 is required due to the Court's
25 Order re: Defendants' Motions to Dismiss of February 6, 2012.

26 299. Sharp states that no answer to Paragraph 299 is required due to the Court's
27 Order re: Defendants' Motions to Dismiss of February 6, 2012.

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AFFIRMATIVE DEFENSES

Without assuming any burden that it would not otherwise bear, Sharp asserts the following general affirmative and/or additional defenses to the causes of action alleged in T-Mobile’s Amended Complaint.

FIRST AFFIRMATIVE DEFENSE

The Amended Complaint fails to state a claim upon which relief can be granted.

SECOND AFFIRMATIVE DEFENSE

Plaintiff lacks standing to bring the claims asserted in the Amended Complaint.

THIRD AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, by the applicable statute of limitations.

FOURTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, by laches.

FIFTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because Plaintiff failed to mitigate its damages, if any.

SIXTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because the conduct alleged was based on independent and legitimate business justifications.

SEVENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because any actions by Sharp resulted from a good faith effort to meet competition.

EIGHTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred because its alleged damages are speculative and because of the impossibility of ascertaining the fact and extent of those alleged damages.

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NINTH AFFIRMATIVE DEFENSE

Any unlawful conduct, act, or omission of an employee or agent of Sharp, the occurrence of which Sharp expressly denies, was committed by individuals acting *ultra vires* and not by or on behalf of Sharp.

TENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because plaintiff would be unjustly enriched if it were allowed to recover any part of the damages alleged in the Amended Complaint.

ELEVENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, by the equitable doctrine of unclean hands.

TWELFTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because an award of treble damages against Sharp based on the conduct alleged in the Amended Complaint would violate the due process clauses of the Fifth and Fourteenth Amendments of the Constitution of the United States.

THIRTEENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, by the doctrines of estoppel and waiver.

FOURTEENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because the alleged conduct of Sharp that is the subject of the Amended Complaint occurred outside the United States and was neither directed to nor affected persons or entities in the United States.

FIFTEENTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because the injuries alleged in the Amended Complaint, the fact and extent of which are expressly denied by Sharp, were directly and proximately caused by or contributed to by the statements, acts or omissions of Plaintiff or third persons or entities unaffiliated with Sharp. To the extent that Sharp is

1 found liable for damages, those damages must be reduced in proportion to Sharp's degree
2 of fault.

3 **SIXTEENTH AFFIRMATIVE DEFENSE**

4 Plaintiff's damages, if any, resulted from the acts or omissions of third parties over
5 whom Sharp had no control or responsibility. The acts of such third parties constitute
6 intervening or superseding causes of the harm, if any, suffered by Plaintiff.

7 **SEVENTEENTH AFFIRMATIVE DEFENSE**

8 Plaintiff has failed to allege fraudulent concealment with particularity.

9 **EIGHTEENTH AFFIRMATIVE DEFENSE**

10 Plaintiff's claims are barred, in whole or in part, to the extent that Plaintiff seeks
11 damages that are duplicative of damages sought in other actions.

12 **NINETEENTH AFFIRMATIVE DEFENSE**

13 Without admitting the existence of any contract, combination or conspiracy in
14 restraint of trade, Sharp avers that it is entitled to set off any amounts paid to Plaintiff by
15 any defendants other than Sharp who have settled, or do settle, Plaintiff's claims against
16 them in this matter.

17 **TWENTIETH AFFIRMATIVE DEFENSE**

18 Plaintiff's claims for injunctive relief are barred, in whole or in part, insofar as
19 Plaintiff seeks to enjoin alleged events that have already transpired without the requisite
20 showing of threatened future harm or continuing harm.

21 **TWENTY-FIRST AFFIRMATIVE DEFENSE**

22 Plaintiff's claims are barred, whole or in part, by plaintiff's failure to take all
23 necessary, reasonable and appropriate actions to avoid the injuries and damages alleged in
24 the Amended Complaint, the fact and extent of the such injuries and damages being
25 expressly denied by Sharp.

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TWENTY-SECOND AFFIRMATIVE DEFENSE

There is no basis for plaintiff’s assertion of jurisdiction pursuant to the Foreign Trade Antitrust Improvements Act, 15 U.S.C. § 6a, for any claims asserted in the Amended Complaint.

TWENTY-THIRD AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, by the Foreign Commerce Clause of the United States Constitution.

TWENTY-FOURTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, because Plaintiff may not recover damages, if any, based on sales outside of the United States.

TWENTY-FIFTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are improperly joined within the meaning of Rule 20 of the Federal Rules of Civil Procedure because they did not arise out of the same transaction, occurrence or series of transactions or occurrences and/or do not involve questions of law or fact common to all defendants.

TWENTY-SIXTH AFFIRMATIVE DEFENSE

Plaintiff’s claims are barred, in whole or in part, to the extent they are based on alleged acts, conduct or statements that are specifically permitted by law.

TWENTY-SEVENTH AFFIRMATIVE DEFENSE

Sharp maintained a reasonable system of supervision and information gathering to prevent antitrust violations, enforced that system with reasonable diligence, and did not directly or indirectly induce the violations alleged in the Amended Complaint.

TWENTY-EIGHTH AFFIRMATIVE DEFENSE

As an indirect purchaser, plaintiff cannot recover damages or other monetary relief.

TWENTY-NINTH AFFIRMATIVE DEFENSE

The claims of plaintiff are barred to the extent it has agreed to arbitrate disputes with Sharp Electronics or to submit such disputes to decision in another forum.

THIRTIETH AFFIRMATIVE DEFENSE

