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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

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

No. M 07-1827 SI  
MDL No. 1827

This Order Relates To Individual Case No. 13-  
cv-3349 SI:

No. C 13-3349 SI

ACER AMERICA CORPORATION;  
GATEWAY, INC.; and GATEWAY U.S.  
RETAIL, INC. f/k/a EMACHINES, INC.,

**ORDER RE ADMINISTRATIVE  
MOTION FOR ISSUANCE OF LETTERS  
ROGATORY**

Plaintiffs,

v.

HITACHI, LTD.; HITACHI DISPLAYS, LTD.;  
HITACHI ELECTRONIC DEVICES (USA),  
INC.; NEC CORPORATION; NEC  
CORPORATION OF AMERICA; NEC  
DISPLAY SOLUTIONS OF AMERICA, INC.;  
NEC LCD TECHNOLOGIES, LTD., NEC  
ELECTRONICS AMERICA, INC.; TOSHIBA  
CORPORATION; TOSHIBA MOBILE  
DISPLAY CO., LTD.; TOSHIBA AMERICA  
ELECTRONIC COMPONENTS, INC.;  
TOSHIBA AMERICA INFORMATION  
SYSTEMS, INC.; LG DISPLAY CO., LTD.; LG  
DISPLAY AMERICA, INC.,

Defendants.

Currently before the Court is plaintiffs' administrative motion for issuance of letters rogatory.  
Plaintiffs ask the Court to issue twenty-two letters rogatory to compel the production of foreign

United States District Court  
For the Northern District of California

1 documents and the depositions of foreign witnesses.<sup>1</sup> Defendants oppose the issuance of these letters  
2 rogatory on several grounds; they contend that: (1) the letters rogatory seek, in part, information that  
3 has already been produced in the MDL; (2) the letters rogatory erroneously state that many of the  
4 defendants have admitted to criminal price-fixing conspiracy when in fact, only two of the remaining  
5 eleven defendants pleaded guilty; (3) the letters rogatory erroneously characterize all defendants as LCD  
6 manufacturers, when some never manufactured LCDs; and (4) the letters rogatory contain several  
7 unproven allegations characterized as facts. MDL Master Dkt. No. 9105.

8 The Court hereby rules as follows. Plaintiffs' request for the issuance of twenty-eight letters  
9 rogatory is GRANTED. However, before the letters are issued, plaintiffs are ORDERED to (1) remove  
10 requests for any information previously produced in this MDL; (2) clarify which defendants actually  
11 admitted criminal liability; (3) clarify which defendants were actually LCD manufacturers; and (4)  
12 correctly differentiate between facts and unproven allegations. This Order resolves MDL Master Dkt.  
13 No. 9071.

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15 **IT IS SO ORDERED.**

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17 Dated: September 26, 2014



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SUSAN ILLSTON  
UNITED STATES DISTRICT JUDGE

<sup>1</sup>Plaintiffs initially sought the issuance of thirty-two letters rogatory but later withdrew the motion as to defendants Chi Mei Corporation, Innolux Corporation, CMO Japan Co. Ltd., Nexgen Mediatech, Inc., Sanyo Consumer Electronics Co., Ltd., Sanyo Electric Co., Ltd., Hitachi, Ltd., Samsung Electronics Co., Hannstar Display Corporation, and Sharp Corporation. See MDL Master Dkt. Nos. 9101, 9102, 9127, 9148.