

Did you buy Optical Disc Drives (“ODD”) or products incorporating ODD (“ODD Products”) from January 1, 2004 through January 1, 2010?

If so, you might be affected by class action settlements.

The Class Actions

Class actions were commenced in British Columbia, Ontario and Quebec on behalf of residents of Canada, alleging that numerous ODD manufacturers and distributors conspired to fix the prices for ODD, and that this resulted in consumers, businesses, and other purchasers paying too much for ODD and ODD Products purchased in Canada.

The Settlements

Settlement of the actions have been reached with:

- Quanta Storage, Inc. and Quanta Storage America, Inc. (“Quanta”) for \$500,000 USD;
- Pioneer Corporation, Pioneer North America, Inc., Pioneer Electronics (USA) Inc., Pioneer High Fidelity Taiwan Co., Ltd., and Pioneer Electronics of Canada Inc. (“Pioneer”) for \$1,185,000 CDN; and
- BenQ Corporation, BenQ America Corporation, and BenQ Canada Corp. (“BenQ”) for \$424,000 CDN.

All three settlements must be approved by the British Columbia Court. The Pioneer and BenQ settlements must also be approved by the Quebec Court. The settlements are a resolution of contested claims and are not an admission of liability, fault or wrongdoing.

If approved, the settlements will resolve the litigation in its entirety.

Certification/Authorization for Settlement Purposes

The British Columbia action was certified against Quanta, Pioneer and BenQ for settlement purposes only. The Quebec action was authorized against Pioneer and BenQ for settlement purposes only.

The settlement class is defined as persons resident in Canada who purchased an ODD and/or ODD Product from January 1, 2004 through January 1, 2010.

- “ODD” means any device which reads and/or writes data from and to an optical disk, including but not limited to, CD-ROMs, CD-recordable/rewritable, DVD-ROM, DVD-recordable/rewritable, Blu-Ray, Blu-Ray-recordable/rewritable, and HD DVD, as well as Super Multi-Drives, other combination drives, and optical disk drives designed to be attached externally to computers or other devices.
- “ODD Products” means any products incorporating ODD, including but not limited to desktop computers, mobile/laptop computers, videogame consoles, CD players/recorders, DVD players/recorders and Blu-Ray disc players/recorders.

Settlement, Distribution and Fee Approval Hearings

The British Columbia and Quebec Courts will be asked to approve the settlements, and class counsel’s fee request.

The hearing before the British Columbia Court will be held by videoconference on February 22, 2022 at 10:00 am. The hearing before the Quebec Court will take place by videoconference on February 23, 2022 at 9h30 am.

You may express your views on the proposed settlements, or class counsel’s fee request to the Courts. If you wish to do so you must contact class counsel by February 10, 2022.

For updates about the hearing and instructions on how to express your views to the Courts, see www.siskinds.com/odd/ or www.cfmlawyers.ca/active-litigation/odd/.

Proposed Distribution of Settlement Funds

The British Columbia and Quebec Courts have each approved a protocol for the distribution of settlement funds. Approval of an amended protocol for the distribution of settlement funds is being requested of the BC Court and the Quebec Court. The distribution has not yet occurred. To review a copy of the distribution protocol, visit class counsel’s websites.

At the approval hearings, class counsel will propose to the Courts that the Quanta, Pioneer, and BenQ settlement amounts be distributed substantially in accordance with the approved distribution protocol.

Class Counsel’s Fee Request

Class Counsel will ask the Courts to approve fees up to 33^{1/3}% of the Quanta, Pioneer and BenQ settlement amounts plus disbursements and applicable taxes.

Class Counsel will also ask the Courts to approve CAD \$2,383,836.31 and USD \$323,815.63 (plus taxes) in fees related to prior settlements. For more information, review the long form notice at www.siskinds.com/odd/ or www.cfmlawyers.ca/active-litigation/odd/.

You are represented by:

- *Camp Fiorante Matthews Mogerman LLP*
- *Siskinds LLP*
- *Consumer Law Group Inc.*

For more information

- visit www.siskinds.com/odd/ or www.cfmlawyers.ca/active-litigation/odd/
- email oddclassaction@cfmlawyers.ca
- call 1-800-689-2322 (toll-free)