

1 **NOTICE OF SETTLEMENT**

2 **Attention: If You Purchased A Hitachi Hard Disk Drive,**  
3 **A Proposed Class Action Settlement May Affect Your Rights.**

4 This Notice contains important information that may affect your legal rights. A Proposed  
5 Settlement has been reached in a class action lawsuit involving hard disk drives manufactured by  
6 Hitachi Global Storage Technologies, Inc. (“Defendant”).

7 Description of the Action: In an action entitled *Suzuki v. Hitachi Global Storage*  
8 *Technologies, Inc.*, Case No. CV06-07289 MHP, pending in the United States District Court for  
9 the Northern District of California, Plaintiff alleges that Defendant’s advertising and packaging  
10 with respect to the data storage capacity of the Hitachi hard disk drives (“HDDs”) is false and  
11 misleading. Specifically, Plaintiff alleges that Defendant failed to disclose that storage capacities  
12 are based on the decimal standard, and that accessible capacity will vary from the stated capacity  
13 due to formatting and partitioning of the HDD, the computer’s operating system and other factors.  
14 Defendant has denied and continues to deny these allegations and has asserted a number of  
15 affirmative defenses.

16 Settlement Class: You are a member of the Settlement Class if (1) you purchased a  
17 Hitachi HDD between October 12, 2002 and November 16, 2009, (2) you purchased the HDD  
18 new (*i.e.*, not second hand) from an entity that regularly sells/sold such devices or items, and (3)  
19 you did not purchase the HDD for resale to others.

20 Description of Settlement: Under the Settlement, Defendant has agreed to include a  
21 storage capacity disclosure on the outside retail packaging of the HDDs. Defendant has also  
22 agreed to include a storage capacity disclosure in any HDD owner’s manual (if the manual  
23 otherwise discusses storage capacity), and on certain pages on Defendant’s website. There is no  
24 monetary relief.

25 Object To The Settlement: If you fit within the definition of the Settlement Class and you  
26 agree with the Settlement, you need do nothing at all to indicate your consent. You also have the  
27 right to object to the Settlement. Any objection must be in writing and filed with the Court at  
28 following address: Clerk of the Court, United States District Court, 450 Golden Gate Avenue, San

1 Francisco, CA 94102. The case caption is Suzuki v. Hitachi Global Storage Technologies, Inc.,  
2 (Case No. CV06-07289 MHP). The objection must state your name, address, telephone number, a  
3 statement of the objection asserted, as well as the specific reason(s), if any, for the objection,  
4 including any legal support for the objection. The objection must be received by the Court no  
5 later than **December 28, 2009**. You must also mail copies of your written objection to Class  
6 Counsel, Weiss & Lurie, Jordan L. Lurie, 10940 Wilshire Blvd., 23rd Floor, Los Angeles, CA  
7 90024, Tel: (800) 437-7918 or (310) 208-2800, and Defendant's Counsel, Quinn Emanuel  
8 Urquhart Oliver & Hedges, LLP, Scott Commerson, 865 S. Figueroa Street, 10th Floor, Los  
9 Angeles, CA 90017, Tel: (213) 624-7707, postmarked no later than **December 28, 2009**. You  
10 may object either on your own or through an attorney hired at your own expense. If you hire an  
11 attorney, a notice of appearance must be filed with the Court no later than **December 28, 2009** and  
12 mailed to Class Counsel and Defendant's Counsel at the above addresses, postmarked no later  
13 than **December 28, 2009**. If you file and serve an objection and wish to appear at the Fairness  
14 Hearing and be heard, you may do so at your expense. If you or your attorney intend to make an  
15 appearance, you must file a notice of intention to appear with the Court no later than **December**  
16 **28, 2009** and mail a copy to Class Counsel and Defendant's Counsel at the above addresses,  
17 postmarked no later than **December 28, 2009**.

18 Fairness Hearing: The Court has appointed Weiss & Lurie as Class Counsel. If the  
19 Settlement is approved, Class Members will be barred from bringing other lawsuits about  
20 advertising and marketing of Hitachi HDDs. In addition, Defendant has agreed to pay \$220,000 in  
21 attorneys' fees and expenses to Class Counsel and an incentive award of \$1,500 to the Class  
22 Representative. You will not be responsible to pay these fees or expenses. A hearing will be held  
23 on **January 25, 2010** at **2 p.m.** before the Honorable Marilyn H. Patel, in the United States  
24 District Court for the Northern District of California, San Francisco Division, located at 450  
25 Golden Gate Avenue, San Francisco Superior Court 94102. The purpose of the hearing is for the  
26 judge to decide, among other things, (1) whether the proposed Settlement should be approved as  
27 fair, reasonable and adequate; (2) whether the litigation should be dismissed on the merits and  
28 with prejudice pursuant to the terms of the Stipulation of Settlement; (3) whether the application

1 of Class Counsel for an award of attorneys' fees and expenses should be granted; and (4) whether  
2 the payment of an incentive award to the Class Representative should be granted.

3 **PLEASE DO NOT CONTACT THE COURT OR COURT CLERK FOR INFORMATION.**

4 Dated: November 24, 2009

BY ORDER OF THE UNITED STATES  
DISTRICT COURT FOR THE NORTHERN  
DISTRICT OF CALIFORNIA

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