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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

IN RE: HARD DRIVE SUSPENSION
ASSEMBLIES ANTITRUST
LITIGATION

Case No. 19-md-02918-MMC

MDL No. 2918

This Document Relates to:
RESELLER ACTIONS

**~~PROPOSED~~ ORDER GRANTING
RESELLER PLAINTIFFS' MOTION
FOR APPROVAL OF CLASS NOTICE
PLAN**

Hon. Maxine M. Chesney

1 Before the Court is Reseller Plaintiffs’ Motion for Approval of Class Notice Plan.
2 Having reviewed the motion and its supporting papers, including the Declaration of
3 Cameron Azarai, Esq., and having considered all submissions and arguments of counsel,
4

5 **IT IS HEREBY ORDERED:**

6 1. The Reseller Plaintiffs’ Motion for Approval of Class Notice Plan is
7 **GRANTED.**

8 2. On January 10, 2025, the Court granted the Resellers’ motion for class
9 certification and certified a class of indirect purchaser resellers of HDD suspension
10 assemblies (“Reseller Class”). (ECF No. 1194). Resellers now seek leave to disseminate
11 notice to potential members of the Reseller Class.

12 3. The Court approves the appointment of Epiq Class Action & Claims
13 Solutions, Inc. as the notice administrator for the Reseller Class.

14 4. The proposed forms of notice, including the short form notice and digital
15 media notices (the “Class Notice”), provided with the Reseller Plaintiffs’ Motion through
16 the Declaration of Cameron Azari, Esq. (Doc. No. 1267-2) and the revised long form
17 notice attached hereto as Exhibit A comply with Rule 23 of the Federal Rules of
18 Civil Procedure and due process requirements. The Court finds that the Class Notice and the
19 plan for disseminating the Class Notice (the “Class Notice Plan”) are: (1) the best
20 notice practicable, (2) reasonably calculated to apprise potential members of the Reseller
21 Class of the certification of the Reseller Class and their rights and options relating to
22 remaining in or opting out of the Reseller Class, (3) reasonable and adequate notice to those
23 who may be a member of the Reseller Class, and (4) comply with due process and other
24 applicable aspects of Rule 23 jurisprudence.
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5. The form and content of the proposed Class Notice comply with applicable standards regarding the manner in which they are drafted and how they convey information to the Reseller Class. The Class Notice provides, in plain and understandable terms, the information required by Rule 23 of the Federal Rules of Civil Procedure.

6. Class Counsel for the Reseller Plaintiffs and the notice administrator are authorized to disseminate the Class Notice in forms substantially like those presented to the Court with this Motion.

7. The Court orders that the Class Notice Plan be implemented in accordance with the following schedule:

Deadline to Begin Media Campaign	30 Days from the date of this Order
Deadline for Completion of Class Notice Plan	75 Days from the date of this Order
Deadline for Class Members to Opt Out	110 Days from the dates of this Order

8. After notice has been disseminated, members of the Reseller Class who wish to opt out of the Reseller Class must submit a proper and timely written statement of the grounds for the request for exclusion. All requests for exclusion must: (1) be signed by the member of the Reseller Class, (2) provide the class member’s name (or entity name), (3) provide the address, telephone number, and email address of the class member, and (4) include a statement clearly indicating that the class member requests exclusion, such as “I [or the entity’s name] request to be excluded from the Reseller Class in *In re: Hard Disk Drive Suspension Assemblies Antitrust Litigation*.”

1 9. Requests for exclusion must be mailed to the notice administrator and
2 postmarked by the opt-out/exclusion deadline set forth in the Long Form notice. Within 14
3 days of the opt-out/exclusion deadline, the notice administrator shall provide Reseller Class
4 Counsel with a list of the persons and entities who submitted timely requests to be excluded
5 from the Reseller Class. Class Counsel for the Reseller Class shall then file that report with
6 the Court.
7

8 10. Any member of the Reseller Class who does not submit a proper, and timely
9 request for exclusion, shall be bound by any rulings or future judgments in this litigation.

10 11. The Court confirms that the Reseller’s representative Plaintiffs set forth in
11 the Reseller’s memorandum in support of their motion for class certification (Dkt. 611) are
12 appointed to be representatives of the Reseller Class.
13

14 Dated: May 15, 2026



MAXINE M. CHESNEY
United States District Judge

EXHIBIT A

In re: Hard Disk Drive Suspension Assemblies Antitrust Litigation, Case No. 19-md-02918-MMC
 United States District Court for the Northern District of California

If you purchased a Standalone Storage Device or Computer for resale in the United States from January 2003, through May 2016, a class action lawsuit may affect your rights.

A federal court authorized this notice. This is not a solicitation from a lawyer.

- A class action antitrust lawsuit was filed on behalf of Reseller Plaintiffs and End-User Plaintiffs against Defendants IDK Corporation, Hutchinson Technology Inc., Magnecomp Precision Technology Public Co., Ltd., Magnecomp Corporation, and SAE Magnetics (H.K.) Ltd. (together, “IDK Defendants”), and NHK Spring Co., Ltd., NHK International, NAT Peripheral (Dong Guan) Co., Ltd., NAT Peripheral (Hong Kong) Co., Ltd., and NHK Spring (Thailand) Co., Ltd. (together, “NHK Defendants”). This Notice only applies to Reseller Plaintiffs. The Reseller Plaintiffs are Now Micro, Inc., Integrated Technical Systems, Inc. d/b/a Network One, It Worx, Inc., Stephen Arvay, and Michael Medeiros, (together, the “Reseller Plaintiffs”).
- The lawsuit alleges Defendants conspired to fix prices of suspension assemblies (“SAs”), a component contained in hard disk drives (“HDD”). SAs are a necessary component of HDDs and are found in products such as laptop and desktop computers, and computer servers. The Reseller Plaintiffs bought and resold HDDs that included SAs. Reseller Plaintiffs assert prices were higher as a result of the supracompetitive prices initially charged by Defendants to HDD manufacturers, who “passed on” those price increases to the Reseller Plaintiffs.
- The Court “certified” a Reseller Class defined as: all persons or entities in the Indirect Purchaser States, except original equipment manufacturers, who, during the period from January 2003 through May 2016, purchased a Standalone Storage Device or Computer for resale, which included as a component part one or more SAs that were manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants, or who indirectly purchased a SA, for resale, that was manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants. For more information about original equipment manufacturers (“OEMs”), see Question 9 of this notice. For more information about Standalone Storage Devices, see Question 10 of this notice.
- The Court has not decided who is right or wrong. There is no money available now, and no guarantee there will be. However, if you are a member of the Reseller Class described above, your legal rights are affected, and you have a choice to make now.

YOUR LEGAL RIGHTS AND OPTIONS		DEADLINE
EXCLUDE YOURSELF	Get out of this lawsuit. Get no money or benefits if any are available in the future. Keep the right to sue separately. You will be excluded from this lawsuit and if money or benefits are later awarded, you will not receive any. You will keep any right to file your own lawsuit or be part of any other lawsuit against Defendants at your own expense, and with your own lawyer about the same legal claims in this lawsuit. If there is a settlement or judgment for Defendants, you may not be allowed to exclude yourself from the lawsuit.	Postmarked by September 2, 2026
DO NOTHING	Stay in this lawsuit. Await the outcome. Give up the right to sue separately. By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. You will give up your right to sue Defendants separately. You will be bound by any future judgment in this lawsuit.	

- The Reseller Plaintiffs must prove their legal claims against Defendants at trial. If you do not ask

to be excluded from the lawsuit and money or benefits are obtained from Defendants, you will be notified about how to receive your benefits.

BASIC INFORMATION

1. Why is this Notice being provided?

This Notice explains that the Court has allowed, or “certified,” a class action lawsuit that may affect you if you are a person or entity in the Indirect Purchaser States, except OEMs (as defined in Question 9 below), who, during the period from January 2003 through May 2016, purchased a Standalone Storage Device or Computer for resale which included as a component part one or more SAs that were manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants, or who indirectly purchased an SA, for resale, that was manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants.

A judge on the United States District Court for the Northern District of California is overseeing this class action. The lawsuit is known as *In re: Hard Disk Drive Suspension Assemblies Antitrust Litigation*, Case No. 19-md-02918-MMC (the “lawsuit”).

This Notice only applies to the class of Reseller Plaintiffs. The representative Reseller Plaintiffs are Now Micro, Inc., Integrated Technical Systems, Inc. d/b/a Network One, It Worx, Inc., Stephen Arvay, and Michael Medeiros.

In this Notice, “Defendants” refers to TDK Corporation, Hutchinson Technology Inc., Magnecomp Precision Technology Public Co., Ltd., Magnecomp Corporation, and SAE Magnetics (H.K.) Ltd. (collectively, “TDK Defendants”), and NHK Spring Co., Ltd., NHK International, NAT Peripheral (Dong Guan) Co., Ltd., NAT Peripheral (Hong Kong) Co., Ltd., and NHK Spring (Thailand) Co., Ltd. (collectively, “NHK Defendants”).

2. Why is the lawsuit a class action?

In a class action, one or more people (called class representatives) sue on behalf of all people who have similar legal claims. Together, all these people are called a class or class members. One court resolves the issues for all class members, except for those class members who timely exclude themselves (opt-out) from the class.

THE LEGAL CLAIMS IN THE LAWSUIT

3. What is this lawsuit about?

The Reseller Plaintiffs allege Defendants conspired to fix prices of the SAs; a component contained in HDDs. The Reseller Plaintiffs further allege that the Defendants sold SAs to HDD manufacturers (like Seagate, Western Digital, and Toshiba) who in turn sold the HDDs to distributors (like Ingram Micro, D&H, MA Labe, and Synnex) or directly to companies that make storage devices and computers called OEMs (as defined in Question 9 below) who sell their computers and storage devices to distributors and resellers. SAs are a necessary component of HDDs and are found in products such as laptop and desktop computers, and computer servers. The Reseller Plaintiffs bought thousands of HDDs and products containing HDDs from these distributors, OEMs, or retailers. The

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Reseller Plaintiffs assert because Defendants charged unfairly high prices for their SAs to the HDD manufacturers, those higher prices were passed down the chain to the Reseller Plaintiffs.

Defendants deny the legal claims and deny any wrongdoing or liability. No court or other judicial entity has made any judgment or other determination of any wrongdoing by the Defendants, or that any law has been violated.

4. Has the Court decided who is right?

The Court has not decided whether Reseller Plaintiffs or Defendants are right. By establishing the class and providing this Notice, the Court has not decided and is not suggesting that Reseller Plaintiffs will win or lose this lawsuit. The parties have a chance to prove or disprove their legal claims and/or defenses. The Reseller Plaintiffs must prove their legal claims at a trial.

5. What are the Reseller Plaintiffs asking for?

The Reseller Plaintiffs are asking for money for the Reseller Class members for Defendants' alleged wrongdoings. The Reseller Plaintiffs are also asking for injunctive relief or equitable relief (a legal term that means Reseller Plaintiffs are asking Defendants to stop doing the alleged wrongdoings) as decided by the Court, and attorneys' fees and costs for Class Counsel.

6. Is there any money or benefits available now?

No money or benefits are available now. The Court has not decided whether Defendants did anything wrong, and Reseller Plaintiffs and Defendants have not settled the lawsuit. There is no guarantee money or benefits will be obtained in the future. You will be notified if money or benefits become available.

WHO IS INCLUDED IN THE LAWSUIT?

7. Am I part of the Reseller Class?

The Court "certified" a Reseller Class defined as:

All persons or entities in the Indirect Purchaser States, except OEMs (as defined in Question 9 below), who, during the period from January 2003 through May 2016, purchased a Standalone Storage Device or Computer for resale which included as a component part one or more SAs that were manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants, or who indirectly purchased a SA, for resale, that was manufactured or sold by Defendants, any current or former subsidiary of Defendants, or any co-conspirator of Defendants.

The Indirect Purchaser States are California, Michigan, Minnesota, New York, and North Carolina.

8. Is anyone excluded from the Reseller Class?

Yes. Excluded from the Reseller Class are:

- (1) persons or entities who purchased SAs directly or not for the purposes of resale;
- (2) to the extent not already covered by (1), above, any OEM (as defined in Question 9 below);
- (3) Defendants, their parent companies, subsidiaries and affiliates, and any co-conspirators;

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- (4) federal governmental entities or instrumentalities of the federal government, states and their subdivisions, agencies and instrumentalities; and
- (5) the Court.

9. What is an original equipment manufacturer (“OEM”)?

An OEM is an entity or person that either:

- (a) manufactures HDDs; or
- (b) manufactures larger products containing HDDs.

OEMs are excluded from the Reseller Class.

To the extent that an entity or person may qualify as a member of the Reseller Class for certain aspects of its business, but also qualifies as an OEM for other aspects of its business, that entity or person shall only be included as a member of the Reseller Class as to those aspects of its business that are not based on its activities as an OEM.

10. What is a Standalone Storage Device?

A Standalone Storage Device refers to both personal HDD and enterprise HDD storage systems. For purposes of this notice, an HDD is a data storage device that includes an SA (thus excluding solid state drives and flash memory drives) that stores digital information such as computer operating systems, applications, documents, pictures, and music. Personal HDDs include HDDs purchased for installation into computers, external hard drives, and network attached storage (“NAS”) drives. Enterprise HDD storage systems are storage servers or storage arrays and generally are comprised of multiple HDDs.

11. What if I am still not sure whether I am in the Reseller Class?

If you are still not sure whether you are included in the Reseller Class, you may go to www.HDDSuspensionReseller.com or call toll-free at 1-877-307-1874.

YOUR RIGHTS AND OPTIONS

You must decide whether to stay in the Reseller Class or ask to be excluded (and keep your right to sue Defendants in your own separate lawsuit).

12. What happens if I do nothing at all?

You do not have to do anything now if you want to keep the possibility of getting money or benefits from this lawsuit in the future. By doing nothing you are staying in the Reseller Class and if the Reseller Plaintiffs obtain money or benefits in the future, you will be notified about how to get your share. If you do nothing now, you will not be able to sue or continue to sue Defendants—as part of any other lawsuit—about the same legal claims in this lawsuit. You will also be legally bound by the orders and judgments. If you do nothing now and there is a settlement or judgment in the future, you may not be allowed to exclude yourself from the lawsuit.

13. Why would I ask to be excluded?

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If you want to sue Defendants on your own regarding the same legal claims in this lawsuit or already have your own lawsuit against Defendants regarding the same legal claims in this lawsuit and you want to continue with it, you need to ask to be excluded from the Reseller Class. If you exclude or remove yourself from the Reseller Class—sometimes called “opting-out” of the class—you will not get any money or benefits from this lawsuit even if Reseller Plaintiffs win at trial or there is a settlement. However, you may be able to sue or continue to sue Defendants on your own. If you exclude yourself, you will not be legally bound by the Court’s judgments in this class action lawsuit.

If you start your own lawsuit or continue with an existing lawsuit against Defendants regarding the same legal claims in this lawsuit after you exclude yourself, you will have to hire your own lawyer(s) for that lawsuit, and you will have to prove your legal claims. If you exclude yourself so you can start or continue your own lawsuit against Defendants, you should talk to your own lawyer soon, because *your legal claims may be subject to a statute of limitations*, meaning that you may face a deadline after which you cannot sue.

14. How do I ask the Court to exclude me from the Reseller Class?

To exclude yourself from the Reseller Class, you must mail a written request for exclusion, which includes the following:

- 1) Your name, address, telephone number, and email address (if any);
- 2) Your personal physical signature; and
- 3) A statement that you want to be excluded from the Reseller Class, such as “I hereby request to be excluded from the Reseller Class in *In re: Hard Disk Drive Suspension Assemblies Antitrust Litigation*.”

The exclusion request must be mailed to the Notice Administrator at the following address, and be postmarked by September 2, 2026:

HDD Antitrust Litigation
Notice Administrator
PO Box 4190
Portland, OR 97208-4190

You cannot opt out (exclude yourself) by telephone or by email.

“Mass” or “class” requests for exclusion filed by third parties on behalf of a “mass” or “class” of Reseller Class members or multiple Reseller Class members where the opt out hasn’t been signed by each and every individual Reseller Class member will not be allowed.

15. If I exclude myself, can I get anything from the lawsuit?

No. If you exclude yourself, and the Resellers Class is later awarded money or benefits, you will not be eligible to receive any of that money or benefits. You also will not be legally bound by the Court’s judgments if you exclude yourself. You will be able to sue (or continue to sue) Defendants on your own about the legal claims that are involved in this lawsuit, now or in the future, assuming your legal claims are not time-barred or otherwise prohibited (you should consult your own lawyer to make such a determination).

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16. If I do not exclude myself, can I sue Defendants for the same thing later?

No. Unless you exclude yourself from the Resellers Class, you give up the right to sue Defendants for the legal claims that the lawsuit involves. If you have a pending lawsuit against any Defendant, speak to your lawyer for that lawsuit immediately to determine whether you must exclude yourself from this lawsuit to continue your own lawsuit against Defendants. If there is a settlement or judgment in the future, you may not be allowed to exclude yourself from the lawsuit.

THE LAWYERS REPRESENTING YOU

17. Do I have a lawyer in this lawsuit?

Yes, the Court has appointed Michael J. Flannery and Christian E. Hudson of Cuneo Gilbert Flannery & LaDuca LLP, and Shawn Raiter of Larson King, LLP as Class Counsel for the Reseller Class to represent you and the class for the purposes of this lawsuit. You may hire your own lawyer at your own cost and expense if you want someone other than Class Counsel to represent you in this lawsuit.

18. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. If you want your own lawyer, you can hire your own lawyer at your own expense. For example, you can ask them to appear in Court for you if you want someone other than Class Counsel to speak for you.

19. How will Class Counsel be paid?

If Class Counsel gets money or benefits for the Reseller Class, they may ask the Court for an award of attorneys' fees and expenses. You will not have to personally pay these attorneys' fees and expenses. If the Court grants Class Counsels' request, the attorneys' fees and expenses will either be deducted from any money obtained for the Reseller Class or paid separately by Defendants.

THE TRIAL

20. How and when will the Court decide who is right?

Class Counsel will have to prove Reseller Plaintiffs' legal claims at a trial. The trial has not been scheduled. During the trial, a Jury and the Judge will hear all of the evidence to help them reach a decision about whether Reseller Plaintiffs or Defendants are right about the legal claims in the lawsuit. There is no guarantee that Reseller Plaintiffs will win, or that they will get any money for the Reseller Class.

21. Do I have to attend the trial?

No. You do not need to attend the trial. Class Counsel will present the case for the Reseller Plaintiffs and the Reseller Class, and lawyers for Defendants will present on their behalf. You or your own lawyer may attend at your own expense.

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22. Will I get money after the trial?

If the Reseller Plaintiffs obtain money or benefits as a result of the lawsuit, and you remain in the Reseller Class, you will be notified about how to participate to receive money or benefits. It is unknown how long this will take.

GETTING MORE INFORMATION

23. How do I get more information?

This Notice summarizes the lawsuit and the proceedings. You can get additional information by visiting www.HDDSuspensionReseller.com, by calling 1-877-307-1874 or by writing to:

HDD Antitrust Litigation
Notice Administrator
PO Box 4190
Portland, OR 97208-4190

You may also contact Class Counsel at the following addresses:

LARSON · KING, LLP
Shawn M. Raiter
2800 Wells Fargo Place
30 East Seventh Street
St. Paul, MN 55101

CUNEO GILBERT FLANNERY & LADUCA, LLP
Michael J. Flannery
Christian E. Hudson
2445 M Street, NW
Suite 740
Washington, D.C. 20037

You may also access the Court docket in this lawsuit, for a fee, through the Court's Public Access to Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>. To learn about PACER and register for a PACER account, go to <https://www.Pacer.gov/>. Once you have a PACER account, you can access and retrieve documents from the Court's docket for the Action at <https://ecf.cand.uscourts.gov/cgi-bin/login.pl>.

You can also access and retrieve documents from the Court's docket by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 280 South 1st Street, San Jose, CA 95113, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

**PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK'S OFFICE
REGARDING THIS NOTICE.**

Questions? Go to www.HDDSuspensionReseller.com or call 1-877-307-1874