

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

In Re DYNAMIC RANDOM : Master File No:
ACCESS MEMORY (DRAM) : M-02-1486-PJH (JCS)
ANTITRUST LITIGATION :
: MDL No. 1486
This Document Relates to :
ALL ACTIONS : **CLASS ACTION**

To: ALL PERSONS OR ENTITIES WHO DIRECTLY
PURCHASED DRAM (DYNAMIC RANDOM
ACCESS MEMORY) IN THE UNITED STATES
FROM THE DEFENDANTS LISTED BELOW
DURING THE PERIOD OF APRIL 1, 1999
THROUGH JUNE 30, 2002

**SUMMARY NOTICE OF PENDENCY OF CLASS
ACTION AND PARTIAL CLASS ACTION
SETTLEMENTS**

Class Actions are pending in the above Court against certain manufacturers of DRAM. In the Class Actions, plaintiffs allege that defendants unlawfully agreed to fix, raise, maintain and stabilize the prices of DRAM and/or to allocate among themselves major customers and accounts in violation of the federal antitrust laws during the period of April 1, 1999 through June 30, 2002. Plaintiffs allege that, as a result of defendants' unlawful conduct, they and members of the Class paid more for DRAM than they would have in the absence of defendants' wrongful conduct. Defendants deny plaintiffs' allegations and have asserted numerous affirmative defenses.¹

This notice is given pursuant to the Federal Rules of Procedure and an Order of the United States District Court for the Northern District of California to inform Class Members that, in exchange for the release of claims by Settlement Class members, three separate proposed settlements have been reached with defendants: (i) Infineon Technologies AG and Infineon Technologies North American Corp. for a cash payment of Twenty Million Seven Hundred and Fifty Thousand U.S. Dollars (\$20,750,000); (ii) Samsung Semiconductor, Inc. for a cash payment of Sixty-Seven Million U.S. Dollars (\$67,000,000); and (iii) Hynix Semiconductor Inc. and Hynix Semiconductor America, Inc. for cash payments totaling Seventy-Three Million U.S. Dollars (\$73,000,000) (collectively referred to herein as the "Settling Defendants") and also to inform Class Members that the Court Certified a litigated class and ordered that the action may proceed in a class action.

The Settlement Class and litigated class certified by the District Court includes:

All individuals and entities who, during the period beginning April 1, 1999 and continuing through June 30, 2002 purchased DRAM in the United States directly from the defendants or their subsidiaries. Excluded from the class are defendants and their parents, subsidiaries, affiliates, all governmental entities, and co-conspirators.²

A hearing will be held on November 1, 2006 at 10:00 a.m. before the Honorable Phyllis J. Hamilton, in Courtroom 3, on the 16th Floor of the United States District Court-house, at 450 Golden Gate Avenue, San Francisco, California 94102, to determine whether each of the proposed settlements are fair, adequate and reasonable to the Settlement Class, and whether, therefore, this litigation should be dismissed with prejudice against the Settling Defendants.

These are the first settlements reached in this litigation, which will continue against the remaining defendants. The settlement payments have been deposited into interest bearing accounts for the benefit of the Settlement Class. The settlement funds will be distributed at a later date, and therefore no claim forms are to be submitted at this time. Class Counsel are not requesting attorneys' fees at this time. At an appropriate time, Class Counsel will request attorney fees in an amount not to exceed 25% of the total settlement funds plus their expenses.

You do not need to do anything to remain in the Class. Members of the Class will be entitled to receive money from the settlement fund when it is ultimately distributed. At final approval, Class Counsel and Plaintiffs will ask the Court to approve a plan of allocation and distribution of the Net Settlement Fund on a pro rata basis among Settlement Class members based on the dollar amount each Settlement Class member paid to Defendants for direct purchases of DRAM from the Defendants during the period of April 1, 1999 through June 30, 2002. If you do not exclude yourself from the Class or have otherwise settled or released Defendants and the Court approves the plan of allocation, you will be entitled to file a claim to share in the Net Settlement Fund. However, if you want to exclude yourself from the Class, you must do so not later than October 3, 2006. If you do not timely exclude yourself from the Class but want to object to any or all of the settlements, you must file a written objection not later than October 3, 2006.

A more detailed description of this litigation and the proposed settlements are contained in the Notice of Pendency of Class Action and Partial Class Action Settlements (the "Notice"). The Notice has been mailed to identifiable Class Members. If you are a Class Member and have not received a Notice, you may obtain a copy free of charge by writing to: In re DRAM Antitrust Litigation, c/o Rust Consulting, Inc., P.O. Box 24657, West Palm Beach, FL 33416 or calling the Class Administrator at (866) 483-9938. The Notice and the settlement agreements are also posted on this website: www.DramAntitrustSettlement.com.

Questions concerning the matters contained in this Summary Notice should be directed to the following Class Counsel:

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**PLEASE DO NOT TELEPHONE OR ADDRESS
INQUIRIES TO THE COURT.**

Dated: July 27, 2006
BY ORDER OF THE DISTRICT COURT
United States District Court
for the Northern District of California
San Francisco, CA

¹ The defendants are Samsung Electronics Co. Ltd., Samsung Semiconductor, Inc., Infineon Technologies AG, Infineon Technologies North American Corp., Hynix Semiconductor, Inc., Hynix Semiconductor America, Inc., NEC Electronics America, Inc., Elpida Memory, Inc., Elpida Memory (USA) Inc., Nanya Technology Corporation, Nanya Technology Corporation USA, Micron Technology, Inc., Micron Semiconductor Products Inc., Crucial Technology, Mosel-Vitelec Corporation, Mosel-Vitelec Corporation (USA) and Winbond Electronics Corporation.

² "DRAM" is defined to mean dynamic random access memory components, including without limitation, specifically synchronous dynamic random access memory ("SDRAM"), Rambus dynamic random access memory ("RDRAM"), asynchronous dynamic random access memory ("ASYNCR"), FPM DRAM, EDO DRAM, BEDO DRAM, and double data rate synchronous dynamic random access memory semiconductor devices and modules ("DDR").