

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**JOHN TAYLOR, on behalf of himself  
and all others similarly situated,**

**Plaintiff,**

**v.**

**JVC AMERICAS CORPORATION,  
a Delaware Corporation,**

**Defendant.**

**Civil Action No. 07-4059 (FSH)**

**SUMMARY NOTICE OF PROPOSED SETTLEMENT  
OF CLASS ACTION AND SETTLEMENT HEARING**

TO: ALL PERSONS AND ENTITIES WHO PURCHASED OR OTHERWISE ACQUIRED A JVC BRAND TELEVISION MODEL LT-40FH96; HD-56FH96; HD56FH96Ai; HD-61FH96; HD-70FH96; LT-40FH97; LT-40FN97; LT-46FH97; LT-46FN97; HD-P61R1U; OR HD-P70R1U WITHIN THE UNITED STATES OF AMERICA.

**PLEASE READ THIS LEGAL NOTICE!**

**IF YOU ARE A MEMBER OF THE CLASS DESCRIBED ABOVE, YOUR RIGHTS  
WILL BE AFFECTED AND YOU MAY BE ENTITLED TO SHARE IN THE  
SETTLEMENT FUND.**

YOU ARE HEREBY NOTIFIED, pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the Court dated June 8, 2009, that the above-captioned Action has been preliminarily certified as a class action for settlement purposes and that a settlement for \$1,000,000 has been proposed. The settlement is explained in detail in a Notice of Pendency and Proposed Settlement of Class Action, Motion for Attorneys' Fees, and Settlement Fairness Hearing (the "Class Notice"), which can be obtained from *JVC 1080p Television Class Settlement* c/o The Garden City Group, Inc., P.O. Box 9356, Dublin, OH 43017-4256

(www.JVC1080pTelevisionClassSettlement.com). You are encouraged to obtain the Class Notice and read it in its entirety.

In the lawsuit, Plaintiff alleged that Defendant's sale of certain models of televisions advertised as "1080p" which could not accept 1080p signals via the High-Definition Multimedia Interface ("HDMI") input entitled all purchasers of such televisions to restitution, disgorgement, injunctive relief, compensatory, general, and special damages under theories of unjust enrichment, fraudulent concealment, breach of express warranty, breach of implied warranty, and violation of N.J.S.A. § 56:8-201. Defendant denied each of these allegations, and continues to do so. Specifically, Defendant has denied and continues to deny that it committed any actionable wrong in connection with the marketing, advertising, or sale of the Subject Televisions, and denies that Plaintiff or the class members were otherwise harmed by the conduct alleged in this case. After extensive negotiations, the parties agreed to a settlement of these claims and defenses.

In exchange for the settlement and dismissal of the action and a full release of all claims asserted therein, Defendant has agreed to pay \$1,000,000 that will be used to create a Gross Settlement Fund, to be distributed among all class members who submit valid Proof of Claim forms ("Proof of Claim"), after the deduction of costs of notice and administration, taxes and tax-related expenses, attorneys' fees, and other costs and expenses as approved by the Court.

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A Fairness Hearing will be held before the Honorable Patty Shwartz, United States Magistrate Judge at the United States District Court District of New Jersey, Post Office and Courthouse Building, 50 Walnut Street, Court Room 10, Newark, New Jersey 07101, at 12:00 PM, on November 2, 2009 to determine whether (1) the proposed settlement of this action is fair,

reasonable, and adequate; (2) whether a final judgment should be entered dismissing the litigation with prejudice on the merits as to Defendant, and certain parties associated with Defendant; and (3) whether an application to be made by Class Counsel for payment of attorneys' fees and expenses should be approved by the Court.

The proposed settlement is not deemed or construed to be an admission or evidence of any violation of any statute or law or any liability or wrongdoing by Defendant or the truth of any allegations of the lawsuit

If you have not yet received the full printed Class Notice and a Proof of Claim, you may obtain copies of these documents by contacting the Claims Administrator:

*JVC 1080p Television Class Settlement*  
c/o The Garden City Group, Inc.  
P.O. Box 9356  
Dublin, OH 43017-4256  
Toll-Free: 1 (866) 697-5554  
[www.JVC1080pTelevisionClassSettlement.com](http://www.JVC1080pTelevisionClassSettlement.com)

Inquiries, other than requests for the forms of Class Notice and Proof of Claim, may be made to Plaintiff's Counsel:

Darren T. Kaplan, Esq.  
CHITWOOD HARLEY HARNES LLP  
1230 Peachtree Street, NE  
2300 Promenade II  
Atlanta, Georgia 30309  
Telephone: (404) 873-3900  
Facsimile: (404) 876-4476

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You have a right to be excluded from the Settlement Class as detailed in the Class Notice. If you wish to be excluded from the Settlement Class, you must send in an Opt Out Notice by mail, postmarked no later than September 10, 2009 stating: (1) your name and address; (2) the

Model Number and Serial Number of each TV at Issue owned by you and affected by the opt out decision; and (3) a statement that you wish to be excluded from the Settlement Class. Opt Out Notices must be sent to: *JVC 1080p Television Class Settlement* c/o The Garden City Group, Inc., P.O. Box 9356, Dublin, OH 43017-4256. If you properly request exclusion, the terms of the settlement will not be binding as to you. **IF YOU DO NOT REQUEST EXCLUSION FROM THE SETTLEMENT CLASS AND THE SETTLEMENT BECOMES EFFECTIVE, YOU WILL BE BOUND BY THE TERMS OF THE SETTLEMENT, WHETHER FAVORABLE OR NOT.**

You also have a right to object to the proposed settlement if you elect to remain a Settlement Class Member, and to enter an appearance through counsel if you so desire. A written notice of appearance must be served on both Class Counsel and Defendant's Counsel by mail, postmarked no later than September 10, 2009. If you do not enter an appearance, you will be represented by Class Counsel.

If you choose to remain in the Settlement Class and share in the settlement recovery if the proposed settlement is finally approved, you must complete and submit a Proof of Claim no later than September 10, 2009 to the Claims Administrator, *JVC 1080p Television Class Settlement* c/o The Garden City Group, Inc., P.O. Box 9356, Dublin, OH 43017-4256. If you are a Class Member and do not submit a proper Proof of Claim, you will not share in the settlement.

Further information may be obtained by contacting Plaintiff's counsel or the Claims Administrator.

By Order of The Court.