

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

**If You Directly Purchased Korean Noodles Between April 1, 2003 to
January 31, 2010, You Could be Affected by a Class Action Settlement,
Whereby You May Be Entitled To A Portion Of A Settlement Fund**

**IF YOU WISH TO PARTICIPATE IN A DISTRIBUTION OF FUNDS, YOU MUST DO SO BY
SUBMITTING A CLAIM FORM NO LATER THAN NOVEMBER 13, 2019.**

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

- Please read this Notice carefully. The process of obtaining your share of funds remaining from a Court-approved settlement (the “Distribution”) is explained in this Notice.
- “Defendants” in this matter refer to Nongshim Co. Ltd., Nongshim America, Inc., and Ottogi Co. Ltd., Ottogi America, Inc.
- A “Direct Purchaser” is a person or business who bought Korean Noodles directly from any of the Defendants, including their predecessors, affiliates, or subsidiaries at any time during the Class Period, rather than from an intermediary or a company that is not a defendant in this lawsuit, for use or delivery in the United States. A Direct Purchaser does not have to purchase exclusively from a Defendant in order to participate in the Distribution.
- “Korean Noodles” means instant noodle soup products consisting of dried instant noodles paired with a seasoning packet and dehydrated vegetables, packaged in a bag (or pouch), cup, or bowl, and including but not limited to ramen products sold under the Nongshim, Samyang, Ottogi, and Paldo/Yakult brands.
- *In re Korean Noodles Antitrust Litigation*, Case No. 3:13-CV-4115-WHO-DMR (N.D. Cal.), was a class action lawsuit involving the price of Korean Noodles purchased directly from the Defendants that is pending in the United States District Court for the Northern District of California. The lawsuit alleged that Defendants (who are identified immediately below) engaged in illegal anticompetitive conduct with respect to the sale of Korean Noodles and that as a result, any person or entity that purchased Korean Noodles directly from any Defendant during the Class Period paid a higher price than they would have otherwise paid in a competitive market. The class representatives for the Direct Purchasers were plaintiffs The Plaza Market; Pacific Groservice, Inc. d/b/a/ Pitco Foods; Summit Import Corporation; and Rockman Company U.S.A. Inc. (the “Plaintiffs”).
- On August 22, 2016, the Court approved a settlement between Direct Purchaser Plaintiffs and defendant Samyang Foods Co. Ltd. (“SAMYANG”), whereby Samyang agreed to pay a class of Direct Purchasers of Korean Noodles \$1,000,000 and to provide certain other consideration in settlement of the case against it. After various expenses approximately \$350,000 remains in the settlement fund created from that settlement (The “Settlement Fund”).
- On January 19, 2017, the District Court certified a Direct Purchaser plaintiff class. (The Court-ordered deadline to opt-out of the class has already passed.) A copy of the Order granting class certification is available at www.RamenClassAction.com. The Direct Purchaser Plaintiff Class consists of:

All persons and entities in the United States and its territories who purchased Korean Noodles directly from Defendants Nong Shim Co., Ltd., Nongshim America, Inc., Ottogi Co., Ltd., or Ottogi America, Inc. at any time from April 1, 2003 through January 31, 2010. The Class excludes the Defendants Samyang Foods Co., Ltd., Samyang (USA), Inc., Korea Yakult, Co., Ltd., Paldo Co., Ltd. and any of their current or former parents, subsidiaries or affiliates. The Class also excludes all judicial officers presiding over this action and their immediate family members and staff, and any juror assigned to this action.”

That class definition above is referred to herein as the “Distribution Class.”

- Direct Purchaser Plaintiffs took the litigation to trial against Defendants Nongshim Co., Ltd.; Nongshim America Inc.; Ottogi Co. Ltd.; and Ottogi America, Inc.. On December 17, 2018, a jury verdict was returned in favor of these Defendants, and against Direct Purchaser Plaintiffs. This verdict against Plaintiffs does not affect the money remaining in the Settlement Fund.
- The Settlement Fund contains funds that must to be distributed to eligible Class Members.
- For further details, answers to frequently asked questions, and more information, see www.RamenClassAction.com.

DO NOT CONTACT THE COURT OR THE CLERK OF COURT REGARDING THIS NOTICE.

BASIC INFORMATION

1. Why did I get this Notice?

You or your company may have purchased Korean Noodles directly from one or more of the Defendants in the United States between April 1, 2003 to January 31, 2010. This Notice explains the lawsuit, the Distribution, and your legal rights.

2. Why is the Distribution being made?

On August 22, 2016, the Court approved a settlement between Direct Purchaser Plaintiffs and defendant Samyang, whereby Samyang agreed to pay a class of Direct Purchasers of Korean Noodles \$1,000,000 and to provide certain other consideration in settlement of the case against it. Approximately \$350,000 shall remain in the Settlement Fund, after payment of various expenses, including previously court-approved settlement administration fees and partial reimbursement of counsel’s costs, as well as service awards to the four named plaintiffs.

On December 17, 2018, a jury verdict was returned in favor of the Defendants, and against Direct Purchaser Plaintiffs. Despite this verdict, the Settlement Fund contains funds that must be distributed to eligible Class Members.

Plaintiffs’ counsel is receiving no fees or further reimbursement of expenses in this case, but will petition the Court to award each of the four class representative plaintiffs a \$10,000 service award as compensation for the significant time and effort spent by those class representative plaintiffs in litigating the action.

3. How do I know if I am part of the Distribution?

Any person or business that fits the definition of the Distribution Class is eligible to receive a share of the Distribution. In sum, persons or entities who purchased Korean Noodles directly from either Nongshim or Ottogi between April 1, 2003 to January 31, 2010 may be eligible to participate in the Distribution.

RECEIPT OF THIS NOTICE DOES NOT NECESSARILY MEAN THAT YOU ARE A MEMBER OF THE DISTRIBUTION CLASS OR WILL RECEIVE PROCEEDS FROM THE DISTRIBUTION.

DISTRIBUTION OF THE SETTLEMENT PROCEEDS

4. How will the remaining Settlement Fund be distributed?

Currently, there is approximately \$350,000 remaining in the Settlement Fund. You are entitled to your proportional share of these remaining funds. This proportional share is based upon data from Nongshim and Ottogi which provided the total volume of class period purchases by each customer, and is calculated by comparing your applicable purchases compared to the total volume of purchases by other eligible claimants who participate in the Distribution. You may claim your share of these funds by timely filling out a Claim Form through one of two methods discussed below.

5. What happens if I do nothing at all?

If you do nothing, you will not receive any share of the Distribution.

6. May I object to the Distribution?

If you were a Direct Purchaser during the class period you can object to the Distribution or the proposed service award to the named plaintiffs. (You cannot object to the Settlement itself because it was already approved by the Court.) You can give reasons why you think the Court should not approve the Distribution or the proposed service award. The Court will consider your views. To object, you must send a letter that includes the following:

- (1) A statement saying what you object to in the Distribution or service award,
- (2) Your name,
- (3) Address, telephone number, and your signature,
- (4) The reasons you object to the Distribution or the proposed service award,
- (5) Proof that you were a Direct Purchaser, such as invoices during the class period showing that you directly purchased Korean Noodles from Nongshim or Ottogi.

Your objection must identify this case and case number and must be filed with the Court at the following address, postmarked by November 13, 2019.

Clerk of Court
United States District Court
Northern District of California
450 Golden Gate Avenue
San Francisco, CA 94102-3489

7. When is the Fairness Hearing?

The Court will hold a Fairness Hearing at 2:00 P.M. (PST) on December 11, 2019, at Courtroom 2 on the 17th Floor of the United States Courthouse, United States District Court, Northern District of California, 450 Golden Gate Avenue, San Francisco, CA. At this hearing the Court will consider whether the Distribution plan and the proposed service awards are fair, reasonable, and adequate. If there are objections, the Court will consider them. After the hearing, the Court will decide whether to approve the Distribution plan and/or service awards. The Court may change the time and date of the Fairness Hearing. Notice of any change will be posted at the courthouse and on the website, www.RamenClassAction.com. You may attend, but you are not required to do so. If you attend, you may ask to speak, but you don't have to participate.

8. How do I participate in the Distribution?

To participate in the distribution and receive your share of the remaining Settlement Fund, you must submit a Claim Form, using one of two methods, by November 13, 2019:

First, you can fill out and submit the form at www.RamenClassAction.com.

OR

Second, you can return, by mail, the form that is included with this Notice, to the following address:

Korean Ramen Noodles Antitrust Litigation
c/o KCC Class Action Services
P.O. Box 43434
Providence, RI 02940-3434

THE DEADLINE TO PARTICIPATE IN THE DISTRIBUTION IS NOVEMBER 13, 2019. IF YOU WISH TO PARTICIPATE IN THE DISTRIBUTION, YOU MUST DO SO BY USING ONE OF THE TWO METHODS LISTED ABOVE.

DATED: July 18, 2019

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