

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

If You Purchased Korean Noodles Directly From Nong Shim Co., Ltd., Nongshim America, Inc., Ottogi Co., Ltd., Or Ottogi America, Inc., A Class Action Ruling May Affect You

“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, sold under the Nongshim or Ottogi brand names.

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

IMPORTANT DATE:

Deadline To Request Exclusion From The Class: June 9, 2017

- *In re Korean Noodles Antitrust Litigation*, Case No. 3:13-CV-4115-WHO-DMR (N.D. Cal.), is a class action lawsuit involving the price of Korean Noodles purchased directly from the Defendants Nong Shim Co., Ltd., Nongshim America, Inc., Ottogi Co., Ltd., and Ottogi America, Inc. (“Defendants”) that is pending in the United States District Court for the Northern District of California. The lawsuit alleges that Defendants 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. Defendants deny Plaintiffs’ allegations and the Court has not ruled on the merits of the claims or defenses.
- There is a separate lawsuit that has been filed by retail purchasers of Korean Noodles. These retail purchasers are also called indirect purchasers because they typically purchase Korean Noodles from a non-defendant, including, for example, a retail store or club warehouse. Additional information about the retail purchasers’ litigation is available at www.RamenClassAction.com.
- On January 19, 2017, the District Court certified a direct purchaser plaintiff class. 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.”
- Your legal rights will be affected whether you act or don’t act. This Notice includes information on the certified class and the continuing lawsuit. Please read the entire Notice carefully.

YOUR RIGHTS ARE EXPLAINED IN THIS NOTICE

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 and your legal rights.

A “direct” purchase means that you bought Korean Noodles from one or more of the Defendants. Your direct purchase(s) must have been made during the Class Period and the Korean Noodles must have been purchased for use or delivery in the United States. If you bought Korean Noodles from a company other than one of the Defendants, it is not a direct purchase for purposes of this lawsuit. You are not required to have purchased exclusively from one or more of the Defendants in order to be considered a direct purchaser for purposes of this lawsuit as long as you purchased Korean Noodles from any Defendant during the Class Period.

You have the right to know about the litigation and about your legal rights and options before you decide whether to request exclusion from the class.

The Notice explains the litigation and your legal rights.

2. Who Are The Defendants?

The Defendants are Nong Shim Co., Ltd.; Nongshim America Inc.; Ottogi Co., Ltd.; and Ottogi America, Inc. Samyang Foods Co., Ltd. was previously a defendant, but settled its case. The class definition for that settlement is slightly different than the class definition described in this Notice. You may visit www.RamenClassAction.com to obtain additional information about the settlement with Samyang Foods Co., Ltd. Korea Yakult Co., Ltd. (“Yakult”); Paldo Co. Ltd. (“Paldo”); and Sam Yang (USA), Inc. (“Sam Yang USA”) (the “Dismissed Defendants”) have been dismissed from the case by the Court.

3. What Is The Lawsuit About?

Plaintiffs in this case allege that Defendants conspired to fix the prices of Korean Noodles in violation of U.S. antitrust laws. The case is pending in the United States District Court for the Northern District of California and is known as *In re Korean Noodles Antitrust Litigation*, Case No. 3:13-CV-4115-WHO-DMR (N.D. Cal.). On March 24, 2014, Plaintiffs filed a Consolidated Amended Complaint (the “Complaint”) alleging that the Defendants conspired to illegally fix, raise, maintain, and/or stabilize prices of Korean Noodles purchased in the United States in violation of Section 1 of the Sherman Act. The lawsuit claims that any person or entity that purchased Korean Noodles directly from any Defendant during the Class Period paid a higher price than they otherwise would have paid in a competitive market. The lawsuit seeks to recover three times the actual damages that Plaintiffs allege the Defendants’ conduct caused, as well as injunctive relief, attorneys’ fees and costs. Defendants deny Plaintiffs’ allegations. The Court has not decided who is right.

4. **What Are Korean Noodles?**

“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, sold under the Nongshim or Ottogi brand names.

5. **What Is A Class Action?**

In a class action, one or more people, called class representatives, sue on behalf of people who have similar claims. These class representatives litigate the case on behalf of all of the members of the class.

In this case, the Court certified two classes. The class definitions are the same, but one of the classes is certified for the recovery of damages from the Defendants (the “Damages Class”) and the second is certified for purposes of obtaining injunctive relief from the Defendants (the “Injunctive Relief Class”).

Important information about the case will be posted on the website www.RamenClassAction.com as it becomes available. Please check the website to be kept informed about any future developments.

6. **What Are My Rights?**

Remain In The Damages Class: If you wish to remain a member of the Damages Class you do not need to take any action at this time. If you remain a Damages Class member, you will be bound by the District Court’s rulings with respect to damages, including any final judgment, and you will be eligible to share in any damages recovery that is obtained as a result of the litigation.

Get Out Of The Damages Class: If you wish to keep your right to individually sue the Defendants for damages, you must timely exclude yourself from the Damages Class. You will not get any money from any future judgment awarded to the Damages Class if you exclude yourself from the Damages Class.

To exclude yourself from the Damages Class, you must send a letter that includes the following:

- You name, address, and telephone number;
- A statement saying that you want to be excluded from the Damages Class in *In re Korean Noodles Antitrust Litigation*; and
- Your signature.

You must mail your exclusion request, postmarked no later than June 9, 2017, to:

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

You may not exclude yourself from the Injunctive Relief Class. The class representatives have requested that the Court enter an order enjoining the Defendants from engaging in any further conduct that violates U.S. antitrust laws. The Court will decide whether such an order will issue, and its scope, at an appropriate time in the future. That ruling will be binding on all members of the Injunctive Relief Class.

7. What Am I Giving Up By Staying In The Damages Class?

Unless you exclude yourself from the Damages Class, you can't sue the Defendants, or be part of any other lawsuit against these Defendants about the legal issues in this case. It also means that all of the decisions by the Court (including any future class judgment) will bind you.

8. Who Are The Class Representatives?

The class representatives are: The Plaza Market, Pacific Groservice, Inc. d/b/a/ Pitco Foods, Rockman Company, USA, Inc., and Summit Import Corporation.

9. Do I Have A Lawyer In The Case?

Yes. The Court has appointed the law firms of Glancy Prongay & Murray LLP and Hausfeld LLP to represent you as Class Counsel. You do not have to pay Class Counsel. If you want to be represented by your own lawyers, and have that lawyer appear in court for you in this case, you may hire one at your own expense.

10. How Do I Get More Information?

You can get more information about the lawsuit (including relevant case documents)¹ by visiting www.RamenClassAction.com. Please do not contact the Court about this case.

¹ The entire Court docket in the Action, may be accessed through the Court's Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, Phillip Burton Federal Building & United States Courthouse, 16th Floor, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.