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8 *Attorneys for Plaintiffs*  
State of California *et al.*

ELECTRONICALLY

**FILED**

*Superior Court of California,  
County of San Francisco*

**DEC 24 2012**

Clerk of the Court  
BY: ANNIE PASCUAL  
Deputy Clerk

10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF SAN FRANCISCO

13 **THE STATE OF CALIFORNIA *et al.*; and**  
14 **THE CITY AND COUNTY OF SAN**  
15 **FRANCISCO, individually, and on behalf of**  
16 **all others similarly situated;**

17 Plaintiffs,

18 v.

19 **CHUNGHWA PICTURE TUBES, LTD. *et***  
20 **al.,**

21 Defendant.

Case No. CGC -11-515786

**EXHIBIT C TO DECLARATION OF  
EMILIO VARANINI IN SUPPORT OF  
MOTION FOR PRELIMINARY  
APPROVAL OF SETTLEMENT;  
CERTIFICATION OF SETTLEMENT  
CLASS OF GOVERNMENT ENTITIES;  
AND APPROVAL OF *PARENS* AND  
CLASS NOTICES**

Date: January 8, 2013  
Time: 9:30 a.m.  
Dept: 304  
Judge: Richard A. Kramer

Action Filed: November 8, 2011  
(Chunghwa); May 11, 2012  
(Philips)

# **EXHIBIT C**

AMENDMENT TO SETTLEMENT AGREEMENT BETWEEN  
THE STATE OF CALIFORNIA, ET AL.  
AND CHUNGHWA PICTURE TUBES, LTD.

This Amendment to the Settlement Agreement dated October 11, 2011 (the "Amendment") is made and entered into by and between Chunghwa Picture Tubes, Ltd. ("Chunghwa") on the one hand, and the State of California, its state agencies, and as *parens patriae* on behalf of natural persons (collectively the "State"), and its political subdivisions (including the Class of Government Entities as defined below) by and through the City and County of San Francisco, acting as a representative for the Class of Government Entities (the "City"), on the other hand.

WHEREAS the State and Chunghwa entered into a Settlement Agreement on October 11, 2011 (the "Agreement"), concerning the allegations described in the action entitled *State of California et al. v. Chunghwa Picture Tubes, Ltd.*, Case No. CGC -11-515786 (Sup. Ct. Cal. Filed November 8, 2011) (the "Action");

WHEREAS, the Agreement was executed by counsel for the State and Chunghwa, respectively;

WHEREAS, the State and Chunghwa want California Code of Civil Procedure section 664.6 to apply to the Agreement; and

WHEREAS, the State and Chunghwa want to modify the definition of Class of Government Entities in the Agreement, in order to clarify the existing definition and comply with directions provided by the trial court judge in the Action;

NOW, THEREFORE, in consideration of the covenants, agreements, and releases set forth herein and for other good and valuable consideration, it is agreed by and among the undersigned that the Agreement is subject to the following amendments, pursuant to Section 33

of the Agreement, with all other provisions within the Agreement continuing in full force and effect, subject all to the approval of the Court, on the following terms and conditions, and incorporating the preceding clauses:

Section A.2 definition of "Class of Government Entities" is replaced as follows:

"Class of Government Entities" consists of all political subdivisions of the State of California, plus the University of California and the State Bar of California, that indirectly or directly purchased Cathode Ray Tubes ("CRTs") and/or products containing CRTs (including but not limited to computer monitors and televisions) between March 1, 1995 and November 25, 2007. The term "political subdivisions" is defined as all government entities authorized under California state law but without statewide jurisdiction.

Section A.7's reference to a Chunghwa Complaint, as well as any other reference in the settlement agreement to a Chunghwa Complaint, is replaced as follows:

Any reference to a Chunghwa Complaint in the settlement agreement refers to the complaint actually filed in the action entitled *State of California et al. v. Chunghwa Picture Tubes, Ltd. et al.*, Case No. CGC -11-515786 (Sup. Ct. Cal. Filed Nov. 8, 2011).

The highlighted term below is inserted into the defined term "Settling Parties" as set forth on the first line of Section B. 9, as follows:

The Attorney General, the City, on behalf of the Class of Government Entities, and Chunghwa (the "Settling Parties")

Section G.32 is replaced as follows:

The Superior Court of California, County of San Francisco, shall retain jurisdiction over the Action pursuant to Code of Civil Procedure 664.6, over the implementation, enforcement, and performance of this Agreement, and shall have exclusive jurisdiction over any suit, action,

proceeding or dispute arising out of or relating to this Agreement or the applicability of this Agreement that cannot be resolved by negotiation and agreement by the parties to the Agreement. This Agreement shall be construed according to the laws of the State of California without regard to its choice of law or conflict of laws principles. By this Amendment Chungwa, the State and the City hereby adopt all provisions of the original Agreement as amended by this Amendment.

Section G.34 is replaced as follows:

This Agreement may be executed in counterparts by the Settling Parties, and an email or facsimile signature shall be deemed an original signature for purposes of executing this Agreement.

Section G.39 is replaced as follows:

Each of the undersigned attorneys or representative of the Settling Parties represents that he or she is fully authorized to enter into the terms and conditions of, and to execute, this Agreement on behalf of the Settling Parties he or she represents, subject to Court approval.

New Section G.42 is added as follows:

This Amendment effectuates the intention of the parties to the Agreement as expressed therein, and does not constitute a substantive modification of the Agreement, except that the Amendment effectuates the intention of the Settling Parties and the Agreement in light of California Code of Civil Procedure Section 664.6 and clarification of the definition of the Class of Government Entities, as instructed by the Court. In particular, the composition of the Class of Government Entities in the original Agreement is not modified by this Amendment.

KAMALA HARRIS  
Attorney General of California

Dated: \_\_\_\_\_

By: Emilio E. Varanini  
Deputy Attorney General

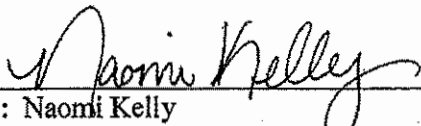
CHUNGHWA PICTURE TUBES, LTD.

Dated: \_\_\_\_\_

By: Marcus Woo  
Vice President and General Counsel

CITY AND COUNTY OF SAN FRANCISCO

Dated: 10/19/12

  
By: Naomi Kelly  
City Administrator and Dir. of Admin. Services

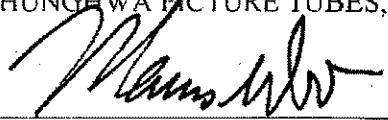
KAMALA HARRIS  
Attorney General of California

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Emilio E. Varanini  
Deputy Attorney General

CHUNGHWA PICTURE TUBES, LTD.

Dated: 10/26/12

  
\_\_\_\_\_  
By: Marcus Woo  
Vice President and General Counsel

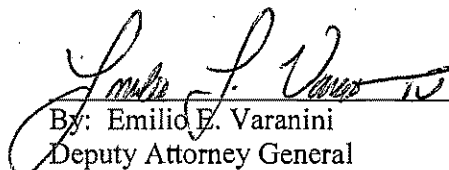
CITY AND COUNTY OF SAN FRANCISCO

Dated: \_\_\_\_\_

\_\_\_\_\_  
By: Naomi Kelly  
City Administrator and Dir. of Admin. Services

KAMALA HARRIS  
Attorney General of California

Dated: 11/11/2012

  
By: Emilio E. Varanini  
Deputy Attorney General

CHUNGHWA PICTURE TUBES, LTD.

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
By: Marcus Woo  
Vice President and General Counsel

CITY AND COUNTY OF SAN FRANCISCO

Dated: \_\_\_\_\_

By: \_\_\_\_\_  
By: Naomi Kelly  
City Administrator and Dir. of Admin. Services