

United District Court for the Western District of Washington

**If You Have Purchased a James Bond DVD or Blu-Ray Box Set You May Benefit
from a Class Action Settlement**

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

- A settlement has been reached in a class action lawsuit involving packaging for certain James Bond DVD and Blu-ray box sets distributed by Metro-Goldwyn-Studios Inc. (“MGM”) and Twentieth Century Fox Home Entertainment LLC (“Fox”) (collectively “Defendants”). The Settlement is not an admission of wrongdoing and the Court has not decided who is right and who is wrong. Instead, the parties decided to settle the dispute.
- You may be a Class Member if you purchased any of the following James Bond DVD or Blu-ray box sets: “Bond 50: Celebrating Five Decades of Bond 007” (SKU numbers M126625, M126627, M129384, M130135, M130146, M132910); “The James Bond Collection” (SKU number M133433); and “The Ultimate James Bond Collection” (SKU numbers M133435, M134821, M134670).
- This Settlement provides Class Members that timely file a valid claim form with a digital copy of the 1967 film entitled *Casino Royale* and the 1983 film entitled *Never Say Never Again*. You may receive these benefits if you qualify.
- You have to take action on or before **July 17, 2018** in order to exercise certain of your legal rights and options in the Settlement, which are set forth below and in this notice. Please read this Notice carefully. Your legal rights may be affected, whether you act or do not act.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS IN THE SETTLEMENT	
FILE A CLAIM	This is the only way to get benefits from this Settlement.
EXCLUDE YOURSELF	<ul style="list-style-type: none">• Excluding yourself means you get no benefits from this Settlement.• This is the only option that allows you to keep any rights you currently have to negotiate with or sue Defendants concerning the claims alleged in this case.• <i>See Questions 12–14.</i>
OBJECT TO THIS SETTLEMENT	<ul style="list-style-type: none">• If you do not exclude yourself, you may write to the Court about why you do not like this Settlement. <i>See Questions 17–18.</i>
GO TO THE HEARING	<ul style="list-style-type: none">• Ask to speak in Court about your opinion of this Settlement.

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BASIC INFORMATION

1. What is this Notice?

A Court authorized this Notice because you have a right to know about a proposed Settlement of this class action lawsuit, and about all of your options, before the Court decides whether to give final approval to this Settlement. This Notice explains the lawsuit, this Settlement, and your legal rights.

Judge Ricardo S. Martinez, of the United States District Court, Western District of Washington, is overseeing this case. The case is *Johnson v. MGM Holdings, Inc. et al.* (Case No. 2:17-cv-00541- RSM). The person who sued is called the “Plaintiff.” The “Defendants” are Metro-Goldwyn-Mayer Studios Inc. (“MGM”) and Twentieth Century Fox Home Entertainment LLC (“Fox”).

2. What is this lawsuit about?

This lawsuit claims that the Defendants did not properly label and market certain James Bond DVD and Blu-ray box sets.

3. Why is this lawsuit a class action?

In a class action lawsuit, one or more people, called “Class Representatives,” (in this case, Mary L. Johnson) sue on behalf of people who have similar claims. All these people together are a “Class” or “Class Members.” In a settlement of a class action, one court resolves the issues for all Class Members, except for those who choose to exclude themselves from the Class (*see Question 12*).

4. Why is there a settlement?

The Court has not determined who is right. Rather, both sides have agreed to settle the lawsuit to avoid the uncertainties and expenses of continuing the lawsuit. By agreeing to settle, both sides avoid the cost and risk of a trial, and the people affected will get a chance to receive benefits. The Class Representative and her attorneys think this Settlement is best for all Class Members. This Settlement does not mean that Defendants did anything wrong.

WHO IS IN THE SETTLEMENT

5. What is the Class definition?

Class members are all persons and entities (and their successors-in-interest, assigns, and heirs) in the United States that purchased prior to January 31, 2018 one or more of the following James Bond DVD or Blu-ray box sets: “Bond 50: Celebrating Five Decades of Bond 007” (SKU numbers M126625, M126627, M129384, M130135, M130146, M132910); “The James Bond Collection” (SKU number M133433); and “The Ultimate James Bond Collection” (SKU numbers M133435, M134821, M134670).

Excluded from the Settlement Class are: MGM and Fox and any person, trust, firm, corporation or other entity Affiliated with or related to MGM and Fox; and any persons or entities who exclude themselves by submitting a timely Request for Exclusion in accordance with the requirements set forth by the Court.

6. How do I know if I am part of this Settlement?

To determine if you are part of this Settlement and your rights under the Settlement, ask yourself this series of questions:

Question	Yes	No
Did you purchase one or more of the following James Bond DVD or Blu-ray box sets: “Bond 50: Celebrating Five Decades of Bond 007” (SKU numbers M126625, M126627, M129384, M130135, M130146, M132910); “The James Bond Collection” (SKU number M133433); and “The Ultimate James Bond Collection” (SKU numbers M133435, M134821, M134670)?	Continue	You are not a Class Member
Did you purchase it in the United States?	Continue	You are not a Class Member
Did you purchase it before January 31, 2018?	You are a Class Member	You are not a Class Member

7. I’m still not sure if I am included.

If you are still not sure whether you are included, you can get help by contacting the Settlement Administrator using any of the methods listed in Question 22.

You are not required to pay anyone to assist you in obtaining information about the Settlement.

THE SETTLEMENT BENEFITS—WHAT YOU GET IF YOU QUALIFY

8. What does this Settlement provide?

All Class Members that file a timely, valid claim form will receive one digital copy of the 1967 film entitled *Casino Royale* and one digital copy of the 1983 film entitled *Never Say Never Again*.

9. How do I get benefits?

If you want to receive the digital copies of the 1967 film entitled *Casino Royale* and the 1983 film entitled *Never Say Never Again*, you must mail or email your completed Claim Form postmarked **on or before May 29, 2018**, to:

MGM Fox James Bond Box Set Class Settlement
c/o JND Class Action Administration
P.O. Box 91349
Seattle, WA 98111
info@bondDVDsettlement.com

Claim Forms are available at www.bondDVDsettlement.com. Claim Forms are only valid if timely submitted with proof of purchase.

10. When will I get the films?

Digital download codes for the films will be provided to eligible Class Members after the Court grants “final approval” of the Settlement and after any appeals are resolved.

The Court will hold a Fairness Hearing on **July 31, 2018 at 10:00 a.m. (Pacific time)** to decide whether to approve the Settlement. **If you want to attend the hearing, keep in mind that the date and/or time may be changed after this Notice is sent, so you should check the settlement website (www.bondDVDsettlement.com) before making travel plans.**

If the Court approves the Settlement (*see Questions 19–21*), there may be appeals. It’s always uncertain whether these appeals can be resolved, and resolving them can take time. Please be patient. You can check for updates and other important information by using any of the methods listed in Question 22.

11. What am I giving up to get benefits and stay in the Settlement?

If this Settlement receives final approval from the Court, this Settlement will be legally binding on all Class Members, including Class Members who object, unless you exclude yourself from the Settlement. This means you will not be able to sue Defendants for the claims being released in this Settlement. This Notice is only a summary. The specific claims that you are giving up against Defendants are described in detail in the Settlement Agreement. You will be “releasing” Defendants and all related entities (the “Released Parties”) as described in the Settlement Agreement. The Settlement Agreement is available at www.bondDVDsettlement.com or by calling 1-833-380-5565.

If you, or someone acting on your behalf, are currently litigating claims against MGM, Fox or the other Released Parties, you will be barred from pursuing the claims released by this Settlement unless you validly “opt out” as described below. If you are currently litigating claims against MGM, Fox or the other Released Parties, speak to your lawyer in that matter immediately.

The Settlement Agreement describes the released claims with specific descriptions, so read it carefully. If you have any questions, you can talk to Class Counsel listed in Question 15 or you can, of course, talk to your own lawyer if you have questions about what this means.

12. How do I get out of the Settlement?

To exclude yourself, you must mail a letter that includes:

- Your full name, current address, telephone number, and signature;
- A statement that you are a Class Member and that you “request to be excluded from the class settlement in the James Bond Box Set Settlement.”

You must personally sign your written “opt-out” request and email or mail it postmarked **by May 18, 2018** to:

MGM Fox James Bond Box Set Class Settlement
c/o JND Class Action Administration
P.O. Box 91349
Seattle, WA 98111
info@bondDVDsettlement.com

13. If I do not exclude myself, can I sue the Defendants for the same thing later?

No. Unless you exclude yourself from the Settlement, you give up any right to sue the Defendants for the claims that are resolved by the Settlement. If you have a pending lawsuit, speak to your lawyer in that lawsuit immediately. **Remember, the exclusion deadline is May 18, 2018.**

14. If I exclude myself, can I get benefits from the Settlement?

No. If you exclude yourself from the Settlement, you will not be able to get any benefits from the settlement and you cannot object to the Settlement. You will not be legally bound by anything that happens in the Settlement.

THE LAWYERS IN THE CASE

15. Who are the lawyers in this case?

Class Counsel

The Court has appointed the law firms listed below to represent you and other Class Members in the Settlement. These lawyers are called Class Counsel. If you want to be represented by your own lawyer, you may hire one at your own expense.

If you want to contact Class Counsel about this Settlement, they can be reached through the Settlement Administrator by calling 1-833-380-5565 or sending an email to info@bondDVDsettlement.com.

<p>Alan J. Statman Sylvie Derrien STATMAN HARRIS & EYRICH, LLC 3700 Carew Tower 441 Vine St Cincinnati, OH 45202</p>	<p>Alexander S. Kleinberg EISENHOWER CARLSON PLLC 1201 Pacific Ave 1200 Wells Fargo Plaza Tacoma, WA 98402</p>
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16. How are Class Counsel being paid? Are the Class Representatives being paid?

Class Counsel will ask the Court for an award of attorneys’ fees and expenses in the Settlement (the “Fee and Expense Award”), which will be paid by Defendants:

Attorneys’ Fees and Expenses

Class Counsel will ask the Court to approve payment to them of \$350,000.00, which will be paid by Defendants.

Incentive Awards to the Class Representative

Class Counsel will ask the Court to approve a \$5,000.00 payment (called an “Incentive Award”) to Plaintiff Mary L. Johnson. Any Incentive Award ordered by the Court will be in addition to what that Class Representative is eligible to receive from her claim.

OBJECTING TO THE SETTLEMENT

17. How do I tell the Court that I do not like the Settlement?

If you do not exclude yourself, you may object to the Settlement. To object, you must **mail or email** your objection to the Settlement Administrator. To be timely, your objection must be mailed or emailed to the Settlement Administrator so that it is **postmarked or received by July 17, 2018** at the following addresses:

MGM Fox James Bond Box Set Class Settlement
c/o JND Class Action Administration
P.O. Box 91349
Seattle, WA 98111
info@bondDVDsettlement.com

QUESTIONS? CALL 1-833-380-5565 TOLL-FREE, OR VISIT WWW.BONDDVDSETTLEMENT.COM

You must include the following information:

- Your full name, current address, telephone number, and signature.
- The settlement to which you are objecting:
 - “James Bond Box Set Settlement.”
- Your objections and the specific reasons why you object.
- State whether you intend to appear at the Fairness Hearing, either in person or through counsel.
- If you are represented by separate counsel, the name, address, bar number, and telephone number of all attorneys who will represent you.
- A list of any other objections submitted by you, or your separate counsel, to any class action settlements submitted in any court in the United States, whether state, federal or otherwise, in the previous five years. If you or your separate counsel has not objected to any other class action settlement in any court in the United States in the previous five years, you or your counsel shall affirmatively so state in the written objection.

Please note that any objections must be submitted by an individual Class Member, his or her legally authorized representative, or his or her attorney—not as a member of a group, class, or subclass.

18. What’s the difference between objecting and excluding yourself?

Objecting is simply telling the Court that you do not like something about the Settlement. You can object to a settlement only if you stay in that settlement. Excluding yourself is telling the Court that you do not want to be part of the Settlement. If you exclude yourself, you have no basis to object, because the case no longer affects you. If you object, and the Court approves the Settlement anyway, you will still be legally bound by the result.

THE COURT’S FAIRNESS HEARING

19. When and where will the Court decide whether to approve the Settlement?

The Court will hold a “Fairness Hearing” (also known as a “Final Approval Hearing”) to decide whether to finally approve the proposed Settlement. The Fairness Hearing will be on **July 31, 2018 at 10:00 a.m. (Pacific time)** before Judge Ricardo S. Martinez at Courtroom 13206 of the United States District Court for the Western District of Washington, 700 Stewart Street (13th Floor), Seattle, Washington. If you want to attend the Fairness Hearing, keep in mind that the date and/or time may be changed after this Notice is sent, so you should check the Settlement Website (www.bondDVDsettlement.com) before making travel plans.

At the Fairness Hearing, the Court will consider whether the proposed Settlement and all of its terms are adequate, fair, and reasonable. If there are objections, the Court will consider them. The Court may listen to people who have asked for permission to speak at the Hearing and have complied with the other requirements for objections explained in Question 17. The Court may also decide how much to award Class Counsel for fees and expenses, and whether and how much to award the Class Representative for representing the Class (the Incentive Award).

There is no set timeline for either the Court’s final approval decision, or for any appeals that may be brought from that decision, so it is impossible to know exactly when the settlement will become final.

The Court may change deadlines listed in this Notice without further notice to the Class. To keep up on any changes in the deadlines, please contact the Settlement Administrator or review the website.

20. Do I have to come to the Fairness Hearing?

No. Class Counsel will answer any questions asked by the Court.

If you send an objection, you do not have to come to Court to talk about it. So long as you mailed or emailed your written objection on time and complied with the other requirements for a proper objection, the Court will consider it. You may also pay another lawyer to attend, but it's not required.

21. May I speak at the Fairness Hearing?

Yes. If you submitted a proper written objection to the Settlement, you or your lawyer may, at your own expense, come to the Fairness Hearing and speak. To do so, you must follow the procedures set out in Question 17. You must also file a Notice of Intention to Appear, which must be mailed to the Settlement Administrator so that it is **postmarked no later than July 17, 2018** and it must be **filed** with the Clerk of the Court by that same date. If you intend to have a lawyer appear on your behalf, your lawyer must enter a written notice of appearance of counsel with the Clerk of the Court no later than **July 17, 2018**. See Question 15 for the addresses of the Settlement Administrator. You cannot speak at the Fairness Hearing if you excluded yourself.

GETTING MORE INFORMATION

22. How do I get more information about the Settlement?

This Notice summarizes the proposed settlement. For the precise terms and conditions of the Settlement, please see the Settlement Agreement, available at www.bondDVDsettlement.com.

YOU MAY OBTAIN ADDITIONAL INFORMATION BY	
CALLING	<ul style="list-style-type: none"> Call the Settlement Administrator toll-free at 1-833-380-5565 to ask questions and receive copies of documents.
E-MAILING	<ul style="list-style-type: none"> Email the Settlement Administrator at info@bondDVDsettlement.com.
WRITING	<ul style="list-style-type: none"> Send your questions by mail to: MGM Fox James Bond Box Set Class Settlement, c/o JND Class Action Administration, P.O. Box 91349, Seattle, WA 98111. or by email to: info@bondDVDsettlement.com.
VISITING THE SETTLEMENT WEBSITE	<ul style="list-style-type: none"> www.bondDVDsettlement.com, where you will find answers to common questions about the Settlement, a Claim Form, plus other information to help you.
REVIEWING LEGAL DOCUMENTS	<ul style="list-style-type: none"> You can review the legal documents that have been filed with the Clerk of Court in this case at the United States District Court for the Western District of Washington, 700 Stewart St., Seattle, WA 98101.

PLEASE DO NOT CALL THE JUDGE OR THE COURT CLERK TO ASK QUESTIONS ABOUT THE LAWSUIT, THE SETTLEMENT, OR THIS NOTICE.

THE COURT WILL NOT RESPOND TO LETTERS OR TELEPHONE CALLS. IF YOU WISH TO ADDRESS THE COURT, YOU MUST FILE AN APPROPRIATE PLEADING OR MOTION WITH THE CLERK OF THE COURT IN ACCORDANCE WITH THE COURT'S USUAL PROCEDURES.

DATED: MARCH 15, 2018

BY ORDER OF THE COURT

QUESTIONS? CALL 1-833-380-5565 TOLL-FREE, OR VISIT WWW.BONDDVDSETTLEMENT.COM