

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

RICHARD GRISAFI, on behalf of himself and  
the Putative Class

Plaintiff,

v.

No. 2:18-cv-08494-JMV-JBC

SONY ELECTRONICS INC.

Defendant.

**NOTICE OF CLASS ACTION AND PROPOSED SETTLEMENT**

**TO:** United States residents who purchased a new Sony dash Personal Internet Viewer in the United States on or before July 12, 2017.

**IF YOU ARE A MEMBER OF THIS CLASS OF PERSONS, YOU SHOULD READ THIS NOTICE CAREFULLY BECAUSE IT WILL AFFECT YOUR LEGAL RIGHTS AND OBLIGATIONS.**

A settlement (“Settlement”) has been proposed in the class-action lawsuit referenced above pending in the United States District Court for the District of New Jersey, Case No. 18-cv-8494 (JMV) (JBC) (the “Action”). If the Court gives final approval to the Settlement, Sony Electronics Inc. (“Sony”) will provide for each Class Member who properly and timely completes and submits a Claim Form a one-time cash payment in an amount of \$11.25 or \$35.00 depending on eligibility and documentation requirements set forth below and on the Claim Form (“Settlement Payment”).

| <b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS SETTLEMENT</b> |  |  |
|---|--|--|
| <b>SUBMIT A CLAIM FORM</b>                              | <p>This is the only way to get a Settlement Payment.</p> <p>Visit the Settlement website located at <a href="http://www.dashsettlement.com">www.dashsettlement.com</a> to obtain and to electronically submit a Claim Form and supporting documentation. You can also print the Claim Form from the website and then submit it by mail along with any supporting documentation.</p>  | <p>Deadline:<br/><b>June 1, 2021</b></p>                 |
| <b>EXCLUDE YOURSELF</b>                                 | <p>If you exclude yourself from the Settlement, you will not receive a Settlement Payment under the Settlement. Excluding yourself is the only option that allows you to ever bring or maintain your own lawsuit against Sony regarding the allegations in the Action ever again.</p>  | <p>Deadline:<br/><b>June 1, 2021</b></p>                 |
| <b>OBJECT</b>   | <p>You may write to the Court about why you object to (<i>i.e.</i>, don’t like) the Settlement and think it should not be approved. Filing an objection does not exclude you from the Settlement.</p>  | <p>Deadline:<br/><b>June 1, 2021</b></p>                 |
| <b>GO TO THE “FAIRNESS HEARING”</b>                     | <p>The Court will hold a Final Approval Hearing or “Fairness Hearing” to consider the Settlement and the request for attorneys’ fees and costs of the lawyers who brought the Action.</p> <p>You may, but are not required to, speak at the Fairness Hearing about any objection you filed to the Settlement. If you intend to speak at the Fairness Hearing, you must also include as part of your objection a “Notice of Intention to Appear” to the Court and the Parties’ attorneys indicating your intent to do so.</p> | <p>Hearing Date:<br/>July 19, 2021 at<br/>11:30 a.m.</p> |
| <b>DO NOTHING</b>                                       | <p>You will not receive a Settlement Payment under the Settlement. You will also give up your right to object to the Settlement, and you will not be able to be part of any other lawsuit involving the legal claims in this Action.</p>   | <p>N/A</p>   |

- These rights and options—and the deadlines to exercise them—are explained in more detail below.
- The Court in charge of this Action has preliminarily approved the Settlement and must decide whether to give final approval to the Settlement. The relief provided to Class Members will be provided only if the Court gives final approval to the Settlement and, if there are any appeals, after the appeals are resolved in favor of the Settlement. *Please be patient.*

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**BACKGROUND INFORMATION**

**1. Why did I get this Notice?**

You received this Notice because a Settlement has been reached in this Action. According to Sony’s available records, you might be a member of the Settlement Class and may be eligible for the relief detailed below.

This Notice explains the nature of the Action, the general terms of the proposed Settlement, and your legal rights and obligations. To obtain more information about the Settlement, including information about how you can see a copy of the Settlement Agreement (which defines certain capitalized terms used in this Notice), see Section 20 below.

**2. *What is this lawsuit about?***

Plaintiff Richard Grisafi (the “Representative Plaintiff”) filed a lawsuit against Sony on behalf of himself and all others similarly situated. The lawsuit alleges that Sony improperly stopped supporting the dash Personal Internet Viewer (“dash”) in July 2017.

Sony denies each and every one of the allegations of unlawful conduct, any wrongdoing, and any liability whatsoever, and no court or other entity has made any judgment or other determination of any liability. Sony further denies that any Class Member is entitled to any relief and, other than for settlement purposes, and that this Action is appropriate for certification as a class action. Sony denies any wrongdoing and any liability whatsoever.

**The issuance of this Notice is not an expression of the Court’s opinion on the merits or the lack of merits of the Representative Plaintiff’s claims in the Action.**

For information about how to learn about what has happened in the Action to date, please see Section 20 below.

**3. *Why is this a class action?***

In a class-action lawsuit, one or more people called “Representative Plaintiff(s)” (in this Action, Richard Grisafi) sue on behalf of other people who have similar claims. For purposes of this proposed Settlement, one court will resolve the issues for all Class Members. The company sued in this case, Sony, is called the “Defendant.”

**4. *Why is there a Settlement?***

The Representative Plaintiff has made claims against Sony. Sony denies that it has done anything wrong or illegal and admits no liability. The Court has **not** decided that the Representative Plaintiff or Sony should win this Action. Instead, both sides agreed to a Settlement in order to limit further expense, inconvenience, and uncertainty. That way, the Parties avoid the cost of a trial, and the Class Members will receive relief now rather than years from now, if at all.

**5. *How do I know if I am part of the Settlement?***

The Court has decided that everyone who fits this description is a Class Member for purposes of the proposed Settlement: individuals who purchased a new dash in the United States prior to July 12, 2017 and were residents of the United States at the time of purchase.

**6. *I’m still not sure if I am included.***

If you are still not sure whether you are included, you can contact the Claims Administrator for free help about whether you are a Class Member. The email address of the Claims Administrator is [info@dashsettlement.com](mailto:info@dashsettlement.com), the U.S. postal (mailing) address is *Grisafi v. Sony Electronic* Claims Administrator, P.O. Box 43502, Providence, RI 02940-3502, and the toll-free telephone number is 1-844-926-1530.

**THE PROPOSED SETTLEMENT**

**7. *What relief does the Settlement provide to the Class Members?***

Sony has agreed to provide the Class a Settlement Payment of a one-time cash payment of either (a) \$11.25 for a Class Member who (i) purchased a new dash in the United States prior to July 12, 2017; (ii) was a United States resident at the time of purchase; and (iii) either registered his or her dash through the Sony Essentials website or has a proof of purchase; or (b) \$35.00 for a Class Member who (i) purchased a new dash in the United States prior to July 12, 2017; (ii) was a United States resident at the time of purchase; (iii) registered his or her dash through the Sony Essentials website; and (iv) whose dash was turned on and connected to the Sony servers as of July 12, 2017. To receive a Settlement Payment, you must timely complete and submit a valid Claim Form, which explains the eligibility and any documentation requirements for the different payment categories.

## HOW TO REQUEST A SETTLEMENT PAYMENT – SUBMITTING A CLAIM FORM

### 8. *How can I get a Settlement Payment?*

To qualify for a Settlement Payment, you must send in a Claim Form by the deadline. A Claim Form is available by clicking [HERE](#) or on the Internet at the website [www.dashsettlement.com](http://www.dashsettlement.com). The Claim Form may be submitted electronically or by postal mail. Read the instructions carefully, fill out the form, and postmark it by June 1, 2021 or submit it online on or before 11:59 p.m. (Pacific) on June 1, 2021.

**If you received an email notifying you of the Settlement, please provide the unique proof of purchase code included in that email when completing your Claim Form.**

### 9. *When will I get a Settlement Payment and what is the deadline to cash the check for the Settlement Payment?*

As described in Sections 17 and 18 below, the Court will hold a hearing on July 19, 2021 at 11:30 a.m., to decide whether to approve the Settlement. If the Court approves the Settlement, after that, there may be appeals. It is always uncertain whether these appeals can be resolved, and resolving them can take time, perhaps more than a year. You can check on the progress of the case on the website dedicated to the Settlement at [www.dashsettlement.com](http://www.dashsettlement.com). *Please be patient.*

You will have one hundred and eighty (180) days from the date of issuance to negotiate (*i.e.* cash) the check you receive for the Settlement Payment.

## THE LAWYERS IN THIS CASE AND THE REPRESENTATIVE PLAINTIFF

### 10. *Do I have a lawyer in this case?*

The Court has ordered that the law firm of Nagel Rice LLP (“Class Counsel”) will represent the interests of all Class Members. You will not be separately charged for these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

### 11. *How will the lawyers be paid?*

Sony has agreed to pay Class Counsel’s attorneys’ fees and costs up to \$418,675.35, subject to approval by the Court. You will not be required to pay any attorneys’ fees or costs for Class Counsel’s attorneys’ fees and costs.

### 12. *Will the Representative Plaintiff receive any compensation for his efforts in bringing this Action?*

The Representative Plaintiff will request a service award (also known as an “incentive award”) of up to \$10,000.00 for his services as a class representative and his efforts in bringing the Action. The Court will make the final decision as to the amount to be paid to the Representative Plaintiff. Sony agrees to pay to the Representative Plaintiff the incentive award approved by the Court up to \$10,000.00.

## DISMISSAL OF ACTION AND RELEASE OF ALL CLAIMS

### 13. *What am I giving up to obtain relief under the Settlement?*

If the Court approves the proposed Settlement, unless you exclude yourself from the Settlement, you will be releasing your claims against Sony. This generally means that you will not be able to file a lawsuit, continue prosecuting a lawsuit, or be part of any other lawsuit against Sony regarding the allegations in the Action. The Settlement Agreement, available on the Internet at the website [www.dashsettlement.com](http://www.dashsettlement.com), contains the full terms of the release.

## HOW TO EXCLUDE YOURSELF FROM THE SETTLEMENT

### 14. *How do I exclude myself from the Settlement?*

You may exclude yourself from the Class and the Settlement. If you want to be excluded, you must send a letter or postcard stating: (a) the name and case number of the Action “Richard Grisafi v. Sony Electronics Inc., Case No. 18-cv-8494 (JMV)

(JBC)”; (b) your full name, address, and telephone number (email address optional); and (c) a statement that you do not wish to participate in the Settlement, postmarked no later than June 1, 2021 to the Claims Administrator at:

*Grisafi v. Sony Electronics* Claims Administrator  
P.O. Box 43502  
Providence, RI 02940-3502

If you timely request exclusion from the Class, you will be excluded from the Class, you will not be bound by the judgment entered in the Action, and you will not be precluded from prosecuting any timely, individual claim against Sony based on the conduct complained of in the Action.

## HOW TO OBJECT TO THE SETTLEMENT

### 15. *How do I tell the Court that I do not like the Settlement?*

At the date, time, and location stated in Section 18 below, the Court will hold a Fairness Hearing to determine if the Settlement is fair, reasonable, and adequate, and to also consider Class Counsel’s request for an award of attorneys’ fees and costs.

If you wish to object to the fairness, reasonableness, or adequacy of the Settlement Agreement or the proposed Settlement, you must submit a written objection to the Claims Administrator at the address set forth below no later than (*i.e.*, postmarked by) June 1, 2021.

*Grisafi v. Sony Electronics* Claims Administrator  
P.O. Box 43502  
Providence, RI 02940-3502

The written objections must state: (a) the name and case number of the Action “*Richard Grisafi v. Sony Electronics Inc.*, Case No. 18-cv-8494 (JMV) (JBC)”; (b) the full name, address, and telephone number of the person objecting (email address optional); (c) the words “Notice of Objection” or “Formal Objection”; (d) in clear and concise terms, the objection and legal and factual arguments supporting the objection; and (e) facts showing that the person objecting is a Class Member. The written objection must be signed and dated, and must include the following language immediately above the signature and date:

“I declare under penalty of perjury under the laws of the United States of America that the foregoing statements regarding class membership are true and correct to the best of my knowledge.”

You may, but need not, submit your objection through counsel of your choice. If you do make your objection through an attorney, you will be responsible for your personal attorney’s fees and costs.

### **IF YOU DO NOT TIMELY MAKE YOUR OBJECTION, YOU WILL BE DEEMED TO HAVE WAIVED ALL OBJECTIONS AND WILL NOT BE ENTITLED TO SPEAK AT THE FAIRNESS HEARING.**

If you submit a written objection, you may appear at the Fairness Hearing, either in person or through personal counsel hired at your expense, to object to the Settlement Agreement. You are not required, however, to appear. If you, or your attorney, intend to make an appearance at the Fairness Hearing, you must include on your timely and valid written objection a statement substantially similar to “Notice of Intention to Appear.”

If you intend to appear at the Fairness Hearing through counsel, you must also identify the attorney(s) representing you who will appear at the Fairness Hearing and include the attorney(s) name, address, phone number, email address, and the state bar(s) to which counsel is admitted. Also, if you intend to request the Court to allow you to call witnesses at the Fairness Hearing, such request must be made in your written objection, which must also contain a list of any such witnesses and a summary of each witness’s expected testimony.

### 16. *What is the difference between excluding myself and objecting to the Settlement?*

Objecting is simply telling the Court that you do not like something about the Settlement. You can object only if you stay in the Settlement Class. Excluding yourself is telling the Court that you do not want to be part of the Settlement Class. If you exclude yourself, you have no basis to object because the Settlement no longer affects you.

## FAIRNESS HEARING

### 17. *What is the Fairness Hearing?*

The Court has preliminarily approved the Settlement and will hold a hearing to decide whether to give final approval to the Settlement. The purpose of the Fairness Hearing will be for the Court to determine whether the Settlement should be approved as fair, reasonable, adequate, and in the best interests of the Settlement Class, as well as to consider the award of attorneys' fees and costs to Class Counsel.

### 18. *When and where is the Fairness Hearing?*

On July 19, 2021 at 11:30 a.m., a hearing will be held on the fairness of the proposed Settlement. At the Fairness Hearing, the Court will be available to hear any objections and arguments concerning the proposed Settlement's fairness. The Fairness Hearing will take place before the Honorable James B. Clark, III in Courtroom MLK 2A of the U.S. District Court for the District of New Jersey, located at 50 Walnut Street, Newark, New Jersey 07101. The Fairness Hearing may be postponed to a different date or time or location without notice. Please check [www.dashsettlement.com](http://www.dashsettlement.com) for any updates about the Settlement generally or the Fairness Hearing specifically. If the date or time of the Fairness Hearing changes, an update to the Settlement website will be the only way you will be informed of the change.

### 19. *May I speak at the Fairness Hearing?*

At the Fairness Hearing, the Court will be available to hear any objections and arguments concerning the fairness of the Settlement.

You may attend, but you do not have to. As described above in Section 15, you may speak at the Fairness Hearing only if (a) you have timely served and filed an objection and (b) you have timely and validly provided a Notice of Intent to Appear.

If you have requested exclusion from the Settlement, however, you may not speak at the Fairness Hearing.

## MORE INFORMATION

### 20. *How do I get more information?*

To see a copy of the Settlement Agreement, the Court's Preliminary Approval Order, Class Counsel's application for attorneys' fees and costs, and the operative complaint filed in the Action, please visit the Settlement website located at: [www.dashsettlement.com](http://www.dashsettlement.com). Alternatively, you may contact the Claims Administrator at the email address: [info@dashsettlement.com](mailto:info@dashsettlement.com), the U.S. postal address (mailing): *Grisafi v. Sony Electronic* Claims Administrator, P.O. Box 43502, Providence, RI 02940-3502, or the toll-free telephone number: 1-844-926-1530.

This description of this Action is general and does not cover all of the issues and proceedings that have occurred. In order to see the complete file, you should visit [www.pacer.gov](http://www.pacer.gov) or the Clerk's office at 50 Walnut Street, Room 4015, Newark, New Jersey 07101 (973-645-3730). The Clerk will tell you how to obtain the file for inspection and copying at your own expense.

### 21. *What if my address or other information has changed or changes after I submit a Claim Form?*

It is your responsibility to inform the Claims Administrator of your updated information. You may do so at the address below:

*Grisafi v. Sony Electronics* Claims Administrator  
P.O. Box 43502  
Providence, RI 02940-3502

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**DO NOT ADDRESS ANY QUESTIONS ABOUT THE SETTLEMENT OR THE LITIGATION TO THE CLERK OF THE COURT OR THE JUDGE.**

Dated: February 19, 2021

By: Order of the District of New Jersey  
HONORABLE JAMES B. CLARK, III  
U.S. MAGISTRATE JUDGE