

UNITED STATES DISTRICT COURT – CENTRAL DISTRICT OF CALIFORNIA

**If You Purchased a Ticket in the U.S.
on Korean Air Lines or Asiana Airlines
Between January 1, 2000 and August 1, 2007**

A class action Settlement could affect your rights.

- The Court in charge of this case approved this notice, which summarizes your legal rights and options. Please read this notice carefully.
- There is a proposed class action Settlement with Korean Air Lines Co., Ltd. (“Korean Air”) involving an alleged conspiracy by Korean Air and Asiana Airlines, Inc. (“Asiana”) (collectively, “Defendants”) to fix prices for air passenger travel between the U.S. and the Republic of Korea.
- If you bought a qualifying ticket between January 1, 2000 and August 1, 2007, you may be entitled to money back and coupons for future air passenger travel as part of the Settlement.

A Summary of Your Rights and Choices:

You May:		Deadline:
<i>Do Nothing</i>	You will give up your rights to be part of any other lawsuit against Korean Air based on the legal claims in this lawsuit. You will still be bound by the Court’s orders. You are eligible to apply for benefits from the settlements. Proof of claim forms are available at: www.KoreanAirPassengerCases.com . See Question 8	
<i>Submit a Claim</i>	This is the only way to receive benefits from the Settlements. See Question 7.	<i>Postmarked or filed online by December 31, 2013.</i>
<i>Exclude Yourself</i>	<i>Remove Yourself from the Class</i> You may write and ask to get out of the Class and keep your right to sue Korean Air on your own, at your own expense, for the claims in the lawsuit. See Questions 10 and 11.	<i>Postmarked on or before October 25, 2013</i>
<i>Object to the Settlement</i>	<i>Object or comment on the Settlement.</i> If you do not exclude yourself, you may object to or comment on the Settlement, either on your own or through a lawyer you hire. If you file a timely objection, you can attend the Fairness Hearing and ask to speak in Court about your objection to the proposed Settlement. See Question 12.	<i>Filed with the Court and Postmarked on or before October 25, 2013</i>
<i>Go to the Fairness Hearing</i>	<i>Go to the Fairness Hearing</i> The Fairness Hearing will be held so that the Court can consider the proposed Settlement and hear any objections. See Questions 17 and 18.	<i>December 2, 2013 at 10:00 am</i>

**THESE RIGHTS AND OPTIONS
– AND THE DEADLINES TO EXERCISE THEM –
ARE EXPLAINED IN THIS NOTICE.**

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BASIC INFORMATION

1. What is the lawsuit about?

Korean Air Lines Co., Ltd. and Asiana Airlines Inc. (“Defendants”) were sued by a group of people (“Plaintiffs”) who claim that the airlines conspired, in violation of the federal antitrust laws, to fix the prices for air passenger travel between the U.S. and the Republic of Korea from January 1, 2000 through August 1, 2007. The lawsuit claims the conspiracy included meetings, conversations, and communications in the U.S. and elsewhere between the two Defendants during which they agreed to establish artificially high prices for air passenger travel. The Defendants deny the claims in the lawsuit and believe they have valid legal and factual defenses. Asiana settled this case in 2011 and final approval of the settlement was obtained from the Court. Now, Korean Air has agreed to settle this case to avoid the cost and uncertainty associated with continuing it.

2. Why is this a class action?

In a class action, one or more people called “class representatives” sue on behalf of people who have similar claims. The people together are a “class” or “class members.”

Here, the Plaintiffs and Korean Air have reached a proposed Settlement. The Court has preliminarily approved the Settlement and giving notice to Class members. There will be a Fairness Hearing for the Court to decide whether to give final approval to the Settlement (*see* Question 16).

3. Why is there a Settlement?

A settlement is an agreement between a plaintiff and a defendant following negotiation. A settlement concludes the lawsuit as to that defendant but this does not mean that the Court has ruled in favor of the plaintiff or the defendant. A settlement allows both parties to avoid the cost and risk of a trial and allows them to establish a just, fair and final resolution that is best for all involved.

The lawyers representing the Class (“Class Counsel”) and Korean Air have engaged in extensive negotiations regarding the issues presented in the lawsuit and the possible terms of a settlement. Korean Air wants to settle the claims in this lawsuit and Class Counsel believe the Settlement is fair, reasonable, adequate and in the best interests of the Class.

4. Who is a Class member?

You are included as a Class member if you bought at least one ticket for air passenger travel on Asiana Airlines or Korean Air Lines. The purchase must have been:

- Made in the United States;
- For a flight originating in the United States and ending in Korea or a flight originating in Korea and ending in the United States; and
- Made between January 1, 2000 and August 1, 2007 (the “Class Period”).

Both businesses and individuals may be Class members.

There are a number of people who are not included in the Class. These people include:

- The Defendants and their predecessors, subsidiaries, and affiliates (however, the term “affiliates” does not include travel agents); and
- All government entities.

5. How do I know if I am included in the Settlement?

If you meet the Class member definition above, unless you exclude yourself, you are a member of the Class and will be included in the Settlement.

BENEFITS OF THE SETTLEMENT

6. What does the Settlement provide?

In exchange for the release of claims explained in Question 9, Korean Air will pay a total of \$65,000,000 for the benefit of the Class. Korean Air is providing \$39,000,000 in cash and \$26,000,000 in travel coupons for future travel. This is in addition to the prior settlement with Asiana, which provided \$11,000,000 in cash and \$10,000,000 in coupons toward future travel. The cash and coupons net of attorneys’ fees and expenses allowed by the Court will be made available to Class members at the conclusion of this lawsuit. The cash and coupons for travel on each airline will be distributed pro rata, based on total qualifying purchases in dollars, to Class members who submit claims on a timely basis.

Chicago Clearing Corporation has been appointed by the Court to be administrator for the coupon portion of the settlements. It will create a mechanism to aid class members in the transfer or exchange of coupons. Complete details about the Settlement and the claims process can be accessed on the Settlement Administrator’s website at www.KoreanAirPassengerCases.com.

7. How do I submit a claim for benefits from the Settlement?

Claim forms will be distributed starting August 2, 2013 and will be processed once this settlement has been approved by the Court and becomes final. You may file a claim directly online at the website www.KoreanAirPassengerCases.com; download, print and mail a copy of the claim form from the website; or request that a claim form be sent to you. You should keep all documentation you have about air passenger travel between January 1, 2000 and August 1, 2007 on Asiana and Korean Air for your use in filing a claim. If you exclude yourself from the Class, you will not be eligible to file a claim. **You must fill out the Claim Form and submit it online or mail it to the Claims Administrator, postmarked by December 31, 2013, and addressed to:**

Korean Air Passenger Antitrust Litigation
P.O. Box 2436
Faribault, MN 55021

REMAINING IN THE CLASS

8. What happens if I do nothing?

If you do nothing at this time, you will remain a member of the Class and you will be legally bound by the Settlement if it is approved, even if you do not later submit a proof of claim.

If the Settlement is approved, the claims against Korean Air will be completely released and you will never be able to sue Korean Air concerning the claims in this lawsuit. In order to receive any part of the Settlement Fund, you will have to submit a Claim Form.

9. If I remain in the Class, what claims am I specifically giving up?

In short, if you remain in the Class, you cannot ever sue Korean Air for anything related to the claims made in this lawsuit.

More specifically, if you remain in the Class, and the Settlement becomes effective, you will be considered a “Releasor” and will release Korean Air from all “Released Claims,” as follows:

“Released Claims” means any and all claims, demands, actions, suits, and causes of action (whether class, individual, or otherwise in nature) that any Releasors, or any one of them, ever had, now has, or hereafter can, shall or may have against the Releasees, whether known or unknown, which were or could have been alleged in this Action on account of or arising out of, resulting from or related in any respect to the alleged conspiracy or conspiracies to fix the prices of Passenger Air Transportation during the Class Period.

“Releasees” means Korean Air, its past and present officers, directors, employees, agents, attorneys, servants, representatives, parents, subsidiaries, and affiliates and the predecessors, successors, heirs, executors, administrators, and assigns of each of the foregoing. As used in this definition, “affiliates” means entities controlling, controlled by, or under common control with a Releasee. The term “Releasees” does not include Asiana Airlines or any of its past or present officers, employees, or agents acting in such capacity.

This release does not include any claims for the purchase of Passenger Air Transportation in Korea or elsewhere outside of the United States or that are not related to those asserted in this action.

EXCLUDING YOURSELF FROM THE CLASS

10. What if I don’t want to be in the Class?

If you do not want to be in the Class and you want to keep the right to sue Korean Air about the same claims on your own, you must take steps to get out of the Class. This is called excluding yourself. By excluding yourself, you keep the right to file your own lawsuit or join any other persons who exclude themselves and bring a lawsuit against Korean Air about the claims in this lawsuit, at your own expense.

If you exclude yourself from the Class, you will not be able to receive a payment from the Settlement, and you cannot object to the Settlement.

11. How do I exclude myself from the Class?

If you wish to be excluded from the Class, you must send a letter that includes all of the following:

- 1) Your name, address, and telephone number;
- 2) All trade names or business names and addresses used by you or your business;
- 3) That you want to be excluded;
- 4) The date(s) and price(s) of all tickets you purchased in the United States for air passenger travel originating in the United States and ending in Korea or for air passenger travel originating in Korea and ending in the United States made by you during the Class Period, if you have that information; and
- 5) Your signature.

All exclusion letters must be mailed first class, **postmarked on or before October 25, 2013** to:

Korean Air Passenger Antitrust Litigation
P.O. Box 2436
Faribault, MN 55021

You cannot exclude yourself by calling or by sending an email.

OBJECTING TO OR COMMENTING ON THE SETTLEMENT

12. May I object to or comment on the Settlement?

Yes. If you disagree with any part of the Settlement you may object to the Settlement through a written response that must be filed with the Court and served on the Settling Parties. You may also comment on the Settlement.

Your written response must include:

- 1) Your complete name and residence or business address;
- 2) A statement signed under penalty of perjury, that you purchased in the United States a ticket for air passenger travel originating in the United States and ending in Korea or for air passenger travel originating in Korea and ending in the United States on Korean Air Lines or Asiana Airlines between January 1, 2000 and August 1, 2007; and
- 3) Each reason or basis for comment or objection and any supporting papers you want the Court to consider.

The objection must be filed with the Court no later than **October 25, 2013** at the following address:

Clerk of Court
U.S. District Court, Central District of California
312 North Spring Street
Los Angeles, CA 90012

The objection should include the name and number of the case (*In Re Korean Air Lines Co., Ltd. Antitrust Litigation*, MDL No. 07-01891, Master File No. CV 07-05107 SJO (AGRx)).

You should review the Court's rules regarding filing to ensure your document is properly filed. They are available at <http://www.cacd.uscourts.gov/court-procedures/local-rules>. Copies of the response and any supporting documents must **also** be mailed to each of the following addresses, and be postmarked no later than **October 25, 2013**.

Counsel for Class	Settlement Administrator	Counsel for Defendant Korean Air
Susan G. Kupfer Glancy Binkow & Goldberg LLP One Embarcadero Center, Suite 760 San Francisco, CA 94111 Jeff S. Westerman Westerman Law Group 1925 Century Park East, Suite 2100 Los Angeles, CA 90067 Marc M. Seltzer Susman Godfrey L.L.P. 1901 Avenue Of The Stars, Suite 950 Los Angeles, CA 90067	Korean Air Passenger Antitrust Litigation P.O. Box 2436 Faribault, MN 55021	Donald L. Morrow Panteha Abdollahi Paul Hastings LLP 695 Town Center Dr., 17th Floor Costa Mesa, CA 92626

If you or your attorney want to appear at the Fairness Hearing, your objection must include your Notice of Intent to Appear (*see* Question 18).

13. What is the difference between objecting to the Settlement and excluding myself from the Settlement?

You object to the Settlement when you wish to remain a Class member, but disagree with some aspect of the Settlement. An objection allows your views to be heard.

In contrast, exclusion means that you are no longer a Class member. Once excluded, you lose any right to object to any aspect of the Settlement because the Settlement no longer affects you.

THE LAWYERS REPRESENTING YOU

14. Do I have a lawyer representing me in these cases?

Yes. The Court has appointed the following persons and law firms to represent you and other Class members:

Counsel for Class		
Susan G. Kupfer Glancy Binkow & Goldberg LLP One Embarcadero Center, Suite 760 San Francisco, CA 94111	Jeff S. Westerman Westerman Law Group 1925 Century Park East, Suite 2100 Los Angeles, CA 90067	Marc M. Seltzer Susman Godfrey L.L.P. 1901 Avenue Of The Stars, Suite 950 Los Angeles, CA 90067

These lawyers are called Class Counsel. You will not be charged personally for these lawyers, but they will ask the Court to approve a fee award at Final Approval of the Settlement. Class Counsel will ask the Court to a) reimburse them for certain costs and expenses already incurred and b) award attorneys' fees in an amount not to exceed 25% of the Settlement Fund.

15. Should I get my own lawyer?

You may hire your own lawyer, if you wish. However, you will be responsible for that attorney's fees and expenses. If you want your own lawyer to speak for you or appear in Court, you must file a Notice of Intent to Appear (*see* Question 18).

THE COURT'S FINAL APPROVAL HEARING

16. When and where will the Court decide on whether to grant final approval of the Settlement?

The Court will hold a Fairness Hearing on **December 2, 2013** at **10:00 a.m.** in the courtroom of the Hon. S. James Otero, United States District Judge, in Courtroom 1 of the United States Courthouse, at 312 North Spring Street, Los Angeles, CA 90012. The Court will consider whether the Settlement is fair, reasonable and adequate. At the Fairness Hearing, the Court will decide whether to approve the Settlement and the motion for an award of attorneys' fees, awards to the class representatives, litigation costs and expenses. If comments or objections have been received, the Court will consider them at that time.

17. Must I attend the Fairness Hearing?

No. Class Counsel are prepared to answer the Court's questions on behalf of the Class members. Attendance is not required, even if you properly mailed an objection or comment. As long as your objection was filed and postmarked by the deadline, the Court will consider it.

18. May I speak at the Fairness Hearing?

Yes. You may speak at the Fairness Hearing or hire your own lawyer to speak on your behalf. If you want to do so, you must give the Court a paper that is called a "Notice of Intent to Appear." It should include the name and number of the case (*In Re Korean Air Lines Co., Ltd. Antitrust Litigation*, MDL No. 07-01891, Master File No. CV 07-05107 SJO (AGRx)).

Your request should also state that you wish to appear at the Fairness Hearing. It must include your name, address, telephone number and signature as well as the name and address of your lawyer, if one is appearing for you. You cannot speak at the Fairness Hearing if you ask to be excluded from the Settlement Class. Your Notice of Intent to Appear **must** be filed with the Court no later than **October 25, 2013** at the following address:

Clerk of Court
 U.S. District Court, Central District of California
 312 North Spring Street
 Los Angeles, CA 90012

Copies of the Notice of Intent to Appear must be mailed to each of the following addresses, so that they are postmarked no later than **October 25, 2013**:

Counsel for Class		Counsel for Defendant Korean Air
Susan G. Kupfer Glancy Binkow & Goldberg LLP One Embarcadero Center, Suite 760 San Francisco, CA 94111	Marc M. Seltzer Susman Godfrey L.L.P. 1901 Avenue Of The Stars, Suite 950 Los Angeles, CA 90067	Donald L. Morrow Panteha Abdollahi Paul Hastings LLP 695 Town Center Dr., 17th Floor Costa Mesa, CA 92626
Jeff S. Westerman Westerman Law Group 1925 Century Park East, Suite 2100 Los Angeles, CA 90067		

GETTING MORE INFORMATION

19. Where do I get more information?

More details are in the Settlement Agreement and the other legal documents that have been filed with the Court in this lawsuit. You can look at and copy these legal documents at any time during regular office hours at the Office of the Clerk of Court, U.S. District Court for the Central District of California, 312 North Spring Street, Los Angeles, CA 90012. Certain documents, including Class Counsel's motion for final approval of the Settlement and application for an award of costs and expenses and attorneys' fees, will also be available on the Settlement Administrator's website at www.KoreanAirPassengerCases.com.

In addition, if you have any questions about the lawsuit or this Notice, you may:

- Visit the Settlement Administrator's website at www.KoreanAirPassengerCases.com or
- Write to: Korean Air Passenger Antitrust Litigation, P.O. Box 2436, Faribault, MN 55021.

An independent Settlement Administrator is handling this Settlement. Please do not contact the Court, Clerk's Office, or the Defendants directly about this Settlement.