



**Announcement NO. 44**

**July 6, 2016**

### **Court Order issued in ongoing litigation between GN Netcom, Inc. v. Plantronics**

As previously disclosed in prior reports, GN Netcom filed a lawsuit in 2012 against Plantronics challenging the “Plantronics Only Dealer” program for violating federal anti-trust law and unfairly limiting competition by preventing independent dealers from marketing competing products. During discovery in the case, GN uncovered what it believed to be serious discovery misconduct and filed a motion for sanctions against Plantronics. Today, the United States District Court in Wilmington, Delaware, issued its order on this motion for sanctions. The order imposed the following sanctions:

- punitive sanctions against Plantronics in the amount of USD 3 million;
- additional monetary sanctions reimbursing GN for the reasonable fees and costs incurred in connection with the discovery disputes leading to the motion for sanctions;
- possible evidentiary sanctions, if requested by GN Netcom and found by the Court to be warranted as this case progresses toward trial; and
- instructions to the jury that it may draw an adverse inference that emails destroyed by Plantronics would have been favorable to GN's case and/or unfavorable to Plantronics' defense

On or after July 15, 2016, the Court will set a schedule for further proceedings in the case.

The order does not impact GN's financial guidance for 2016 as various costs related to the broader legal proceedings are offsetting the awards.

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