

FOR IMMEDIATE RELEASE

**(Update) Notice Regarding Settlement of Litigation for Compensatory Damages in  
Relation to Accounting Issue**

TOKYO - As announced in "Notice on Actions for Compensatory Damages Filed Against Toshiba" dated April 20, 2017 ("Timely Disclosure of the Filing"), two lawsuits for compensatory damages in relation to the accounting issue were filed with the Tokyo District Court and being examined. While one of these cases was settled, as announced in "(Update) Notice Regarding Settlement of Litigation for Compensatory Damages in Relation to Accounting Issue" dated July 8, 2021, Toshiba Corporation (TOKYO: 6502) (the "Company") hereby gives notice that as a result of the negotiation with the plaintiffs in the other case, a settlement (the "Settlement") has been reached as follows.

1. Process from the filing of the lawsuit to the settlement

The lawsuit against the Company was filed with the Tokyo District Court on March 28, 2017 by three shareholders, all Japanese corporate shareholders, seeking compensatory damages in the amount of 13,113,924,492 yen on the grounds of damages incurred due to the Company's inappropriate accounting (the "Lawsuit") and was pending. The Company has decided to settle the case from the viewpoint of achieving an early resolution, taking into consideration the cost of the Lawsuit and the cost associated with uncertainty.

In the Timely Disclosure of the Filing, it was announced that actions against the Company were filed by four Japanese corporate shareholders, since the Company gave notice of the Lawsuit together with another lawsuit filed on the same day, but the number of the plaintiffs of the Lawsuit when it was filed was only three.

In the Timely Disclosure of the Filing, the amount of the damages claimed was stated as 13,133,064,492 yen, including the cost of the affixed fiscal stamps, while in the above, it is stated as 13,113,924,492 yen without including the cost of the affixed fiscal stamps.

2. Details of the settlement

The Company will pay the plaintiffs 1,920,000,000 yen and terminate the Lawsuit.

3. Outline of the other party to the settlement

Plaintiff 1

Name: The Master Trust Bank of Japan, Ltd.

Address: MTBJ Building, 2-11-3, Hamamatsu-cho, Minato-ku, Tokyo

Plaintiff 2

Name: Custody Bank of Japan, Ltd.

Address: Office towers Y, Harumi Island Triton Square, 1-8-11, Harumi, Chuo-ku, Tokyo

Plaintiff 3

Name: The Nomura Trust and Banking Co., Ltd

Address: Urban net Otemachi building, 2-2-2, Otemachi, Chiyoda-ku, Tokyo

#### 4. Future Outlook

Losses related to the Settlement have been already reserved and no additional losses will be recorded.

#### 5. Other

For a list of securities lawsuits against the Company, please refer to the attached "Outline of lawsuits for damages."

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#### **Disclaimer:**

This notice contains forward-looking statements concerning future plans, strategies and the performance of Toshiba Group. These statements are based on Toshiba's assumptions and beliefs in light of the data currently available to the Company. Actual results are subject to a number of risks and uncertainties and may differ significantly from Toshiba's assumptions. Major risk factors are as indicated below, though this list is not necessarily exhaustive.

- Major disasters, including earthquakes and typhoons;
- Lawsuits or other disputes in Japan or in other countries;
- Success or failure of businesses promoted by Toshiba Group in collaboration with other companies;
- Success or failure of new businesses or R&D investment;
- Changes in political or economic conditions in Japan or abroad; or regulatory changes;
- Rapid changes in the supply and demand situation in major markets or intensified price competition;
- Significant capital expenditure for production facilities and rapid changes in the market;
- Changes in financial markets, including fluctuations in interest rates and exchange rates.

Outline of lawsuits for damages

No.	Competent Court *3	Plaintiff *3	Number *3	Amount (million yen) *3	Status
1	Osaka District Court	Individual	1	51	Termination by Settlement
2	Osaka District Court	Individual	45	173	*1
3	Fukuoka District Court	Individual	6	34	*1
4	Tokyo District Court	Individual	50	300	*1
5	Osaka District Court	Individual	104	420	*1
6	Takamatsu District Court	Individual	25	85	*1
7	Fukuoka District Court	Individual	10	37	*1
8	Tokyo District Court	Individual	1	43	*1
9	Tokyo District Court	Juridical Person (Custody Bank of Japan, Ltd )	1	1,262	*1
10	Takamatsu District Court	Individual	5	9	*1
11	Tokyo District Court	Individual	147	350	*1
12	Tokyo District Court	Juridical Person (Custody Bank of Japan, Ltd )	1	12,000	*1
13	Fukuoka District Court	Individual	6	20	*1
14	Osaka District Court	Individual	23	440	*1
15	Tokyo District Court	Individual	33	57	*1
16	Tokyo District Court	Institutional investors around the world (Allianz Global Investors GmbH etc.)	42	16,100	*1
17	Osaka District Court	Individual	1	32	Dismissal
18	Osaka District Court	Juridical Person	1	7	Termination by Settlement
<u>19</u>	<u>Tokyo District Court</u>	<u>Juridical Person</u> <u>(Custody Bank of Japan, Ltd. etc. )</u>	<u>3</u>	<u>13,100</u>	<u>Termination by Settlement *2</u>
20	Tokyo District Court	Juridical Person (Custody Bank of Japan, Ltd. etc.)	3	5,100	Termination by Settlement (820 million yen)

21	Tokyo District Court	Juridical Person (Custody Bank of Japan, Ltd. etc.)	5	14,000	*1
22	Osaka District Court	Individual	27	66	*1
23	Tokyo District Court	Individual	1	11	Termination by Settlement
24	Tokyo District Court	Individual	2	82	Dismissal
25	Tokyo District Court	Juridical Person and Individual	3	115	*1
26	Tokyo District Court	Institutional investors around the world (The Bank of New York Mellon etc.)	70	43,890	*1
27	Tokyo District Court	Individual	35	110	*1
28	Tokyo District Court	Individual	1	21	*1
29	Tokyo District Court	Institutional investors around the world etc. (Global Funds Trust Company etc.)	6	9,227	*1
30	Kumamoto District Court (Transfer from Fukuoka District Court)	Individual	1	12	Dismissal
31	Tokyo District Court	Institutional investors around the world	14	21,759	*1
32	Tokyo District Court	Juridical Person (Custody Bank of Japan, Ltd. etc.)	2	572	Partially Acceptable (161 million Yen)
33	Tokyo District Court	Institutional investors around the world (Nomura NEXT FUNDS Ireland plc etc.)	2	414	*1
34	Tokyo District Court	Institutional investors around the world (California Public Employees' Retirement System etc.)	97	33,000	*1

35	Tokyo District Court	Institutional investors around the world (Aviva Investors Manager of Manager ICVC (ICVC2) etc.)	4	823	*1
36	Tokyo District Court	Individual	6	39	Termination by Settlement
37	Tokyo District Court	Institutional investors around the world (National Pension Service etc.)	7	4,071	*1

\*1: We are currently in the process of hearing.

\*2: The Lawsuit is the underlined No. 19 case. Except for the Lawsuit, No.19, the lawsuit whose status has changed from the latest timely disclosure regarding the litigation for compensatory damages in relation to the accounting issue dated July 8, 2021 (corrected by the timely disclosure dated July 9, 2021) is No.24 case.

\*3: The competent court, plaintiff, number and amount are the information at the time of the filing of each lawsuit.