

**NOTICE OF CERTIFICATION FOR SETTLEMENT PURPOSES  
AND SETTLEMENT APPROVAL HEARING  
IN THE CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS**

**If you bought or leased a new or used vehicle, or certain automotive parts, since  
January 1, 1999, you should read this notice carefully.  
It may affect your legal rights.**

**A. What is a class action?**

A class action is a lawsuit filed by one person on behalf of a large group of people.

**B. WHAT ARE THESE CLASS ACTIONS ABOUT?**

Class actions have been started in Canada which claim that many companies participated in conspiracies to fix the prices of automotive parts sold in Canada.

This notice is about the **Automotive Wire Harness Systems (“AWHS”)**, **Fuel Senders (“FS”)** and **Instrument Panel Clusters (“IPC”)** price-fixing class actions. An AWHS is the electrical distribution system in a vehicle. See [www.classaction.ca/autoparts/Wire-Harness-Systems](http://www.classaction.ca/autoparts/Wire-Harness-Systems) for a full definition of AWHS. A FS measures the amount of fuel in an automobile’s fuel tank and sends a signal to the fuel gauge regarding fuel levels. For more information, see [www.classaction.ca/autoparts/Fuel-Senders](http://www.classaction.ca/autoparts/Fuel-Senders). An IPC is the mounted array of instruments and gauges housed in front of the driver of an automobile. For more information see [www.classaction.ca/auto-parts-instrument-panel-clusters-ipc](http://www.classaction.ca/auto-parts-instrument-panel-clusters-ipc). All vehicles contain AWHS, FS and IPC.

The AWHS, FS and IPC class actions were started in BC, Ontario and Quebec, but the cases include Canadian residents in all provinces and territories who were affected by the alleged conspiracy. These class actions claim that the companies that sell AWHS, FS and IPC, were involved in a conspiracy to illegally increase the prices of these products. These class actions ask that the Court require these companies to return any extra money that they may have received due to this alleged conspiracy.

**C. WHO IS AFFECTED BY THE CLASS ACTIONS?**

The class actions are about AWHS, FS and IPC installed in all vehicles. The class actions are also about all purchased (new or used) or leased vehicles containing AWHS, FS or IPC.

AWHS Class Action:

You are affected by the AWHS class action and a “member” of the settlement class if you are a person in Canada who between January 1, 1999 and December 4, 2014:

- purchased or leased a new or used vehicle in Canada;
- purchased a new or used vehicle for import into Canada; or
- purchased an AWHS (or a component of one) in Canada.

FS Class Action:

You are affected by the FS class action and a “member” of the settlement class if you are a person in Canada who between January 1, 1999 and December 9, 2015:

- purchased or leased a new or used vehicle in Canada;
- purchased a new or used vehicle for import into Canada; or
- purchased a FS in Canada.

### IPC Class Action

You are affected by the IPC class action and a “member” of the settlement class if you are a person in Canada who between January 1, 1998 and December 9, 2015:

- purchased or leased a new or used vehicle in Canada;
- purchased a new or used vehicle for import into Canada; or
- purchased an IPC in Canada.

### **D. WHAT SETTLEMENTS HAVE BEEN REACHED IN THE CLASS ACTIONS?**

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for being released from the case.

Yazaki Corporation and Yazaki North America, Inc. (“Yazaki”) settled the AWHS action for \$10,400,000.00, the FS action for \$100,000.00, and the IPC action for \$500,000.00, in exchange for a full release of the claims against them relating to the pricing of AWHS, FS, and IPC. Chiyoda Mfg. Co. Ltd. and Chiyoda USA Corporation (“Chiyoda”) settled the AWHS action for \$75,000.00, in exchange for a full release of the claims against them relating to the pricing of AWHS.

Yazaki and Chiyoda also agreed to provide cooperation to the plaintiffs in pursuing the applicable class actions against the remaining defendants. Yazaki and Chiyoda do not admit any liability, wrongdoing or fault.

The settlements are subject to Court approval. The Courts will hold hearing to decide whether to approve these settlements in the Ontario Court in the City of Toronto on January 28, 2016 at 10:00 a.m. and the British Columbia Court in the City of Vancouver on February 12, 2016 at 9:00 a.m., and the Quebec Court in the City of Quebec on February 22, 2016 at 10:00 a.m. The Courts will decide whether the settlements are fair, reasonable, and in the best interests of settlement class members.

### **E. WHAT DO I NEED TO DO?**

**If you want to be a member of these class actions, you do not need to do anything.** However, there are two steps that you should take to protect your legal rights:

1. You should keep records of any purchases or leases of all vehicles or automotive parts for installation in all vehicles from January 1, 1998 onward. Records include invoices, receipts and bank or loan statements.
2. You should register online at [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts) to receive updates about these class actions and the other auto parts price-fixing class actions.

If you want to tell the Court what you think about the proposed settlements or speak to the Court at the hearings listed above, you must send your written submissions to Class Counsel by email at: [autoparts@siskinds.com](mailto:autoparts@siskinds.com) or fax at: 519-660-7813 no later than January 26, 2016.

You may (but do not need to) attend the hearings. If you wish to attend the hearings, please contact class counsel for additional details.

### **F. WHAT HAPPENS TO THE MONEY PAID UNDER THE SETTLEMENTS?**

At this stage, the AWHS and IPC settlement funds (minus approved fees and expenses) will be held in an interest-bearing trust account. At a later date, the Court will decide how the settlement funds will be distributed and how you can apply to receive money from these settlements. Watch for another notice explaining how to claim money from the settlements.

Class counsel will ask that the FS settlement funds used to pay outstanding and future expenses and any future costs awards issued against the plaintiffs in the FS class action.

### **G. WHAT IF I DON'T WANT TO BE IN THE CLASS ACTIONS?**

If you do not want to be a member of the FS or IPC class actions, you can exclude yourself from the class action ("**opt-out**") by sending a signed letter to Class Counsel, with the following information:

- your full name, current address and telephone number;
- if you are writing on behalf of a company, the name of the company and your position at the company;
- a statement saying that you (or the company) want to opt-out of the FS and/or IPC class actions; and
- your reason for opting out.

Requests to opt-out of the proceedings must be post-marked by March 15, 2016.

If you exclude yourself or opt-out:

- you will not be eligible to participate in the ongoing class action, and
- you will not receive any money from this class action, but
- you will be able to start your own case against the defendants regarding the claims at issue in the class action.

If you do nothing, and so do not exclude yourself or opt-out:

- you will be eligible to participate in the ongoing class action, and
- you may receive money from this class action, but
- you will not be able to start your own case against the defendants regarding the claims at issue in the class action.

This is your only chance to exclude yourself or opt out of the FS and IPC class actions. You cannot opt out of the Yazaki AWHs class action because the opt-out period for the Yazaki AWHs action has already ended. Certification of the Chiyoda AWHs class action, and determination of class members' opt-out rights (if any), will be dealt with at the Ontario settlement approval hearing on January 28, 2016.

### **H. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS AND HOW ARE THEY PAID?**

The law firms of Siskinds<sup>LLP</sup> and Sotos LLP represent members of these class actions in Ontario, and in provinces other than British Columbia or Quebec, as well as corporations of more than 50 employees in Quebec.

Siskinds<sup>LLP</sup> can be reached at:

Telephone (toll free): 1-800-461-6166 ext. 2446

Email: [autoparts@siskinds.com](mailto:autoparts@siskinds.com)

Mail: 680 Waterloo Street, London, ON N6A 3V8 Attention: Charles Wright

Sotos LLP can be reached at:

Telephone (toll free): 1-888-977-9806

Email: [autoparts@sotosllp.com](mailto:autoparts@sotosllp.com)

Mail: 180 Dundas Street West, Suite 1200, Toronto, ON M5G 1Z8 Attention: Jean-Marc Leclerc

The law firm of Camp Fiorante Matthews Mogerman represents members of this class action in British Columbia. British Columbia Class Counsel can be reached at:

Telephone: 1-800-689-2322

Email: [aslevin@cfmlawyers.ca](mailto:aslevin@cfmlawyers.ca)

Mail: #400 - 856 Homer Street, Vancouver, BC V6B 2W5 Attention: Sharon Matthews, Q.C.

The law firm of Siskinds Desmeules s.e.n.c.r.l. represents individuals and corporations of 50 or less employees who are members of this class action in Quebec. Quebec Class Counsel can be reached at:

Telephone: 418-694-2009

Email: [recours@siskindsdesmeules.com](mailto:recours@siskindsdesmeules.com)

Mail: Les promenades du Vieux-Quebec, 43 rue De Buade, bureau 320, Quebec City, QC G1R 4A2 Attention: Barbara Ann Cain.

**As an individual, you do not have to pay the lawyers working on these class actions any money.** The lawyers will be paid from the money collected in these class actions. The Courts will be asked to decide how much the lawyers will be paid. The lawyers will collectively be asking that the Courts approve legal fees of up to 25% of the Yazaki AWHs and IPC settlement funds and the Chiyoda AWHs settlement funds, plus disbursements and applicable taxes. Any approved legal fees will be paid out of the settlement funds. Class counsel reserve the right to ask the Courts to allow Class Counsel to use the settlement funds to pay for any future adverse costs award or future disbursements. At a later date, class counsel will ask the Courts to approve the distribution of the remaining settlement funds to settlement class members.

Class counsel will ask that the Yazaki FS settlement funds be used to pay outstanding and future expenses and any future costs awards issued against the plaintiffs in the FS class action.

## **I. WHERE CAN I ASK MORE QUESTIONS?**

For more information, please visit [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts). If you have questions that are not answered online, please contact Class Counsel at the numbers listed above.

To receive future notices and updates regarding the auto parts class actions and any future settlements, register online at [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts).

## **J. INTERPRETATION**

This notice contains a summary of some of the terms of the Yazaki and Chiyoda settlement agreements. If there is a conflict between the provisions of this notice and the settlement agreements, the terms of the settlement agreements shall prevail.

This notice has been approved by the Ontario, British Columbia and Quebec Courts.