

**NOTICE OF HEARING
IN CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS**

**If you bought or leased, directly or indirectly, a new or used Automotive Vehicle or certain automotive parts, since April 1998 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 claiming that many companies participated in conspiracies to fix the prices of automotive parts sold in Canada and/or sold to manufacturers for installation in Automotive Vehicles¹ sold in Canada.

This notice is about proposed settlements relating to seven automotive parts (see Part D) (the “Relevant Parts”). A description of the Relevant Parts is included in Schedule A hereto.

The class actions were started in British Columbia, Ontario and/or Quebec, but include Canadian residents in all provinces and territories. The class actions claim that the companies that sell the Relevant Parts were involved in conspiracies to illegally increase the prices of these products. These class actions ask the applicable Courts to require these companies to return any extra money they may have received due to the alleged conspiracies.

C. WHO IS AFFECTED BY THE CLASS ACTIONS?

These class actions were certified as class proceedings as against the Settling Defendants for the purposes of implementing the settlement agreements.

You are affected by the class actions mentioned above and are a “member” of the settlement class of those actions, if you are a person in Canada who, during the relevant class period (see Schedule A):

- purchased or leased, directly or indirectly, a new or used Automotive Vehicle in Canada;
- purchased a new or used Automotive Vehicle for import into Canada; or
- purchased, directly or indirectly, a Relevant Part 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 full release of the claims against them, without admitting liability for any of the claims.

¹ In the Settlement Agreements, Automotive Vehicle is defined as: all passenger cars, sport utility vehicles (SUVs), vans, and light trucks (up to 10,000 lbs).

The defendants listed below (the “Settling Defendants”) have agreed to pay the amounts set out below in exchange for a full release of the claims against them relating to the pricing of the Relevant Parts and for the dismissal of any actions commenced in Canada by settlement class members relating to the pricing of the Relevant Parts. The Settling Defendants do not admit any liability, wrongdoing, or fault.

Settling Defendant	Relevant Part	Settlement Amount
Bosal International NV, Bosal Nederland, B.V., Bosal Industries Georgia, Inc. o/a Bosal International North America, and Bosal USA, Inc.	Automotive Exhaust Systems	\$25,000
Corning International Kabushiki Kaisha and Corning Incorporated	Ceramic Substrates	US\$3,100,000
Diamond & Zebra Electric Mfg. Co. Ltd. (f/k/a Diamond Electric Mfg. Co. Ltd.), and Diamond Electric Mfg. Corporation	Ignition Coils	\$765,000
Green Tokai Co. Ltd. and Tokai Kogyo Co., Ltd.	Body Sealing Parts	\$102,336
Kiekert AG and Kiekert USA Inc.	Door Latches	US\$300,000
Nachi-Fujikoshi Corp., Nachi America Inc., Nachi Canada Inc., Nachi Europe GmbH, and Nachi Technology Inc.	Bearings	US\$425,000
Sanden Corporation, Sanden International (USA) Inc., Sanden Automotive Climate Systems Corporation, and Sanden Automotive Components Corporation	Air Conditioning Systems	\$1,173,915

Where the class actions are continuing, the Settling Defendants have also agreed to provide cooperation to the plaintiffs in pursuing the applicable class actions against the remaining defendants.

E. SETTLEMENT APPROVAL HEARINGS

The settlements are subject to the approval of the Ontario, British Columbia and/or Quebec Courts (see Schedule “B”). However, in all circumstances, the settlements are national in scope. Even where there is no settlement class specifically for residents of British Columbia or Quebec, residents of those provinces

(as well as the other Canadian provinces and territories) are included in the national classes of the actions commenced in Ontario.

The Ontario Court will hold a hearing by video (which you can attend by contacting Class Counsel) to decide whether to approve these settlements July 12, 2022, at 10:00 a.m.

The Quebec Court will hold a hearing by videoconference (<https://url.justice.gouv.qc.ca/fP5rCH>)² to decide whether to approve some of these settlements on July 6, 2022 at 3:30 p.m.

In accordance with the *Canadian Judicial Protocol for the Management of Multi-Jurisdictional Class Actions*, if the Ontario Court approves the settlements, the BC settlement approval application for the settlement with the Nachi defendants will be heard in writing.

The Courts will decide whether the settlements are fair, reasonable, and in the best interests of settlement class members.

F. HOW CAN I PARTICIPATE IN THE SETTLEMENT APPROVAL HEARING?

If you are a member of a settlement class, you can present your submissions on, or objections to, the settlements, the proposed distribution protocol in the Body Sealing Parts, Ceramic Substrates, Plastic Interior Trim actions (see Part J below), and/or Class Counsel fees (see part L below) before the Courts, in the manner set out below.

Submissions in writing

If you want to address the Courts in writing, you must send your written submissions to Class Counsel by email to autoparts@sotosllp.com and autopartsclassaction@siskinds.com no later than June 30, 2022.

The written submissions must state the nature of any comments or objections, and whether you intend to appear at the settlement approval hearing(s). The written submissions can be provided in English or French (where necessary, an unofficial translation will be provided to the Courts).

Class Counsel will provide a copy of any written submissions to the Courts being asked to approve the settlement agreements.

Attending in person before the Courts

Settlement classes members may (but do not need to) attend the settlement approval hearing(s).

Some of the settlements are only subject to approval by the Ontario Court. You may attend the Ontario hearing virtually on **July 12, 2022, at 10:00 a.m.**, as an observer or to make oral submissions to the Court. If you wish to attend and/or make oral submissions, please contact Class Counsel no later than June 30, 2022. If you are unable to attend, but wish to make oral submissions to the Ontario Court, please contact

² The User Guide to join the hearing can be found at the following address:
https://www.justice.gouv.qc.ca/fileadmin/user_upload/contenu/documents/Fr__français_/centredoc/publications/systeme-judiciaire/MJQ_Guide_Audience_Teams-public_VF.pdf

Class Counsel at autopartsclassaction@siskinds.com and Class Counsel will make the necessary arrangements for you to make submissions to the Ontario Court.

Where the settlement is also subject to the approval of the Quebec Court, you may attend the Quebec hearing virtually on July 6, 2022 at 3:30 pm (<https://url.justice.gouv.qc.ca/fP5rCH>)³. You can attend as an observer or to make oral submissions to the Quebec Court. If you are unable to attend, but wish to make oral submissions to the Quebec Court, please contact Class Counsel at recours@siskinds.com, to the attention of Karim Diallo, and Class Counsel will make the necessary arrangements for you to make submissions to the Quebec Court.

G. WHAT STEPS SHOULD I TAKE TO PROTECT MY RIGHTS?

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

1. You should keep records of any purchases or leases of all new Automotive Vehicles, Relevant Parts, or other automotive parts in respect of which there is pending litigation (see www.siskinds.com/autoparts for a complete list) from January 1995 onward. Records include invoices, receipts, original purchase or lease records, or historical accounting records.
2. Automotive dealerships should keep records of any sales or leases of new Automotive Vehicles, Relevant Parts, or other automotive parts from January 1995 onward.
3. You should register online at www.siskinds.com/autoparts to receive updates about these class actions and the other auto parts price-fixing class actions.

H. WHAT IF I DON'T WANT TO BE IN THE CLASS ACTIONS?

Members of the Door Latches settlement classes can opt out. Rights to opt-out of the other relevant actions was previously provided and have already passed.

In some cases, residents of British Columbia are included in the Ontario Settlement Class. Where an opt-out was provided to a previous British Columbia Settlement Class in a parallel BC case, that previous opt-out applies to BC residents now included in an Ontario Settlement Class.

You can opt out of the Door Latches class action 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; and
- a statement saying that you (or the company) want to opt out of the Door Latches class action.

Requests to opt out of the Door Latches class action must be post-marked by August 16, 2022.

If you exclude yourself or opt out:

³ The User Guide to join the hearing can be found at the following address:
https://www.justice.gouv.qc.ca/fileadmin/user_upload/contenu/documents/Fr__français_/centredoc/publications/systeme-judiciaire/MJQ_Guide_Audience_Teams-public_VF.pdf

- you will not be eligible to participate in the ongoing class action, and
- you will not receive any money from the class action, but
- you will be able to start or continue 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 the class action, but
- you will not be able to start or continue 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 Door Latches class action. No further right to opt out will be provided.

A parallel class proceeding was commenced in Ontario against other defendants relating to the pricing of Door Latches. The right to opt out applies in that action as well and no further right to opt out will be provided in respect of that action. Information on that action and the companies named as defendants is available on Class Counsel's website at: www.siskinds.com/autoparts.

I. WHAT HAPPENS TO THE MONEY PAID UNDER THE SETTLEMENTS?

At this stage, the settlement funds (less approved fees and expenses) are being held in interest-bearing trust accounts for the benefit of settlement class members.

The plaintiffs are seeking approval of the method for distributing the aggregate settlement funds from the Body Sealing Parts, Ceramic Substrates, and Plastic Interior Trim class actions (see section J below). At a later date, the courts will decide how the settlement funds for the other Relevant Parts will be distributed and how you can apply to receive money from these settlements. Watch for another notice at a later time explaining how to claim money from the settlements.

J. PROPOSED DISTRIBUTIONS

Amended Second Omnibus Distribution

The Second Omnibus Distribution Protocol (relating to 16 actions) and the Electronic Throttle Bodies Distribution Protocol were previously approved by the Ontario, British Columbia, and/or Quebec Courts.

At the settlement approval hearings in Ontario and Quebec, the plaintiffs are seeking approval of amended Distribution Protocols to provide a fixed amount of compensation to certain Automakers with manufacturing facilities in Canada who purchased at least \$500,000 of the relevant parts during the Event Period and/or Post Event Period (the "Canadian Automakers"). The amount allocated to the Canadian Automakers varies depending on the available settlement funds in the action. Any unclaimed funds will be available for distribution to other Settlement Class Members. Copies of the proposed amended distribution protocols are available at www.siskinds.com/autoparts or <https://www.sotosclassactions.com/auto-parts/> or from Class Counsel.

Body Sealing Parts, Ceramic Substrates, and Plastic Interior Trim Distribution

At the settlement approval hearing in Ontario, the Court will be asked to approve a protocol for distributing the aggregate settlement funds of \$10.2 million, plus accrued interest, less Court-approved legal fees and other expenses. A copy of the proposed distribution protocol is available at www.siskinds.com/autoparts or <https://www.sotosclassactions.com/auto-parts/> or from Class Counsel. The application before the British Columbia Court to approve the Distribution in the Plastic Interior Trim action will proceed in writing. Members of the Plastic Interior Trim Settlement Classes who wish to make comments on or object to the Proposed Distribution may attend the Ontario approval hearing remotely.

The protocol is designed to compensate purchasers of Body Sealing Parts, Ceramic Substrates, Plastic Interior Trim and/or new Automotive Vehicles containing Body Sealing Parts, Ceramic Substrates, and/or Plastic Interior Trim in a manner that generally reflects the anticipated impact of the alleged price-fixing.

The protocol contemplates that the administration will run in tandem with the administration of the Second Omnibus Distribution Protocol and settlement benefits will be calculated in accordance with the Second Omnibus Distribution Protocol.

Based on information to date – both through publicly available documents and information obtained in the prosecution of the action – the following vehicles are potentially affected by the alleged wrongful conduct (the “Affected Vehicles”):

Class Action	Brands	Event Period	Post Event Period
Body Sealing Parts	Honda/Acura, Toyota/Lexus, Subaru	January 1, 2000 to September 30, 2012	October 1, 2012 to September 30, 2016
Ceramic Substrates	Ford/Lincoln/Mercury, General Motors (Buick, Cadillac, Chevrolet, Daewoo, GMC, Hummer, Isuzu, Oldsmobile, Pontiac, Saab, Saturn), Honda/Acura, Nissan/Infiniti, Toyota/Lexus	July 1, 1999 to July 31, 2011	August 1, 2011 to July 31, 2015
Plastic Interior Trim	Toyota/ Lexus	June 1, 2004 to September 30, 2012	October 1, 2012 to September 30, 2016

No wrongdoing is alleged as against Ford/Lincoln/Mercury, General Motors (Buick, Cadillac, Chevrolet, Daewoo, GMC, Hummer, Isuzu, Oldsmobile, Pontiac, Saab, Saturn), Honda/Acura, Nissan/Infiniti, Subaru, and Toyota/Lexus (the “Automakers”). They are not defendants in the class actions. The Automakers were unaware of any alleged price-fixing in respect of any of the automotive parts that they purchased for their automotive vehicles.

Subject to further order of the Ontario Court, the settlement funds will be distributed on a *pro rata* (or proportional) basis on the value of your claim relative to the value of all approved claims. The value of your claim will depend on:

- a) The purchase price of the Affected Vehicle: The purchase price will be based on the information provided as part of the claims process or, where permitted pursuant to the distribution protocol, the manufacturer's suggested retail price (or 40% thereof for leased vehicles).
- b) The timing of the Affected Vehicle purchase or lease: Purchases or leases entered into during the Event Period will be valued at 100%. Purchases or leases entered into during the Post Event Period will be discounted by 50% to reflect the additional litigation risks associated with proving damages during this period.
- c) The categorization of the Settlement Class Member: Settlement Class Members will be categorized as follows:
 - i. Automaker means the applicable Automaker(s), as set out in the chart above. Automakers' purchases or leases will be valued at 7.5% of the purchase price.
 - ii. Dealer means a Settlement Class Member who purchased Affected Vehicles from an Automaker or a subsidiary thereof, for resale to End Users. Dealers' purchases or leases will be valued at 25% of the purchase price.
 - iii. End User means a Settlement Class Member who purchased or leased an Affected Vehicle for its own use and not for commercial resale. End Users' purchases or leases will be valued at 67.5% of the purchase price.

Sample Calculation:

If an End User purchased Affected Vehicles with purchase prices totaling \$50,000 during the Event Period and \$150,000 during the Post Event Period, its Affected Vehicle Purchases for the purposes of determining its pro rata share of the Net Settlement Funds would be calculated as follows:

$\$50,000$ (representing the purchase price) \times 1 (representing the timing of the purchase or lease)
 \times 0.675 (representing the categorization of the Settlement Class Member as an End User) =
 $\$33,750$

Plus

$\$150,000$ (representing the purchase price) \times 0.5 (representing the timing of the purchase or lease)
 \times 0.675 (representing the categorization of the Settlement Class Member as an End User)
= $\$50,625$

For a total of $\$84,375$

Assuming the value of all qualifying Settlement Class Members' Affected Vehicle Purchases totalled \$10 million, this Settlement Class Member would be entitled to 0.84% ($\$84,375/\10 million) of the Net Settlement Funds.

Notwithstanding the foregoing, subject to further order of the Ontario Court following the adjudication of all claims:

- a) claims that are valued at less than \$5 will be held in abeyance pending further distributions in the auto parts class actions. This threshold for payment applies after summing all entitlements pursuant to the Second Omnibus Distribution Protocol, the Electronic Throttle Bodies Distribution Protocol, and the proposed Distribution Protocol (the “Protocols”).
- b) all valid Claims that are valued at or above \$5 will be assigned a minimum value of \$25. The \$25 valuation target is not an estimate of any damages suffered. This minimum valuation applies after summing all entitlements pursuant to the Protocols. For example, if a Settlement Class Member is entitled to \$15 pursuant to the Second Omnibus Distribution Protocol, \$2 pursuant to the Electronic Throttle Bodies Distribution Protocol, and an additional \$6 pursuant to the proposed Distribution Protocol, the Settlement Class Member would receive a \$2 increase, for a total payment of \$25.

K. APPLYING FOR SETTLEMENT FUNDS

Information about how to apply for the settlement funds will be available in a future notice and will be posted online at: www.siskinds.com/autoparts or <https://www.sotosclassactions.com/auto-parts/>. If you did not receive this notice by mail or email, please register online at: www.siskinds.com/autoparts or by telephone at 1-888-977-9806 to ensure that further notices will be sent to you directly, by mail or email.

As additional auto parts cases resolve, it is likely that some of the resolved cases will relate to the same brands and years covered by the Second Omnibus Distribution Protocol. Subject to court approval, your eligibility for settlement benefits in those cases will depend on applying for settlement benefits in accordance with the Second Omnibus Distribution Protocol.

L. NOTICE OF DISCONTINUANCE IN PLASTIC INTERIOR TRIM CLASS ACTION

The plaintiffs intend to discontinue the Plastic Interior Trim action against the Defendants, Adient plc, Adient Seating Canada LP, and Johnson Controls International plc. These Defendants have confirmed that they had no involvement or knowledge of the alleged conspiracy and have never been the subject of an investigation regarding Plastic Interior Trim.

M. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS AND HOW ARE THEY PAID?

The law firms of Siskinds LLP and Sotos LLP represent members of these class actions in Ontario, and in provinces other than British Columbia or Quebec.

Siskinds LLP can be reached at:

Telephone (toll free): 1-800-461-6166

Email: autopartsclassaction@siskinds.com

Mail: 275 Dundas Street, Unit 1, London, ON N6B 3L1 Attention: Linda Visser / Sylvia Flower

Sotos LLP can be reached at:

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

Email: 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 LLP represents members of the Air Conditioning Systems, Automotive Exhaust Systems, Bearings, Ignition Coils, and Plastic Interior Trim actions in British Columbia. They can be reached at:

Telephone: 1-800-689-2322

Email: aslevin@cfmlawyers.ca

Mail: #400 – 856 Homer Street, Vancouver, BC V6B 2W5 Attention: David Jones

The law firm of Siskinds Desmeules s.e.n.c.r.l. represents members of the Bearings and Ignition Coils actions in Quebec. They can be reached at:

Telephone: 418-694-2009

Email: recours@siskinds.com

Mail: Les promenades du Vieux-Quebec, 43 rue De Buade, bureau 320, Quebec City, QC G1R 4A2
Attention: Erika Provencher

As an individual, you do not have to pay the lawyers working on these class actions any money out-of-pocket. 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 settlement funds, plus disbursements and applicable taxes. Additionally, the Courts in Ontario and British Columbia will be asked to approve honorariums in the amount of \$200 per representative plaintiff in each of the Body Sealing Parts, Ceramic Substrates, and Plastic Interior Trim actions. The honorariums are in recognition of their contributions in the advancement of these actions. Any approved legal fees and honorariums 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 cost awards or future disbursements.

N. WHERE CAN I ASK MORE QUESTIONS?

For more information, and relevant documents (including copies of the settlement agreements and distribution protocol), please visit www.siskinds.com/autoparts.

For copies of the Ontario statements of claim, visit the Canadian Class Action Database at: <http://www.cba.org/Publications-Resources/Class-Action-Database>.

For a copy of the Quebec motions for authorization or to receive more information about class actions in Quebec, visit the Quebec Registry of Class Actions at <https://www.registredesactionscollectives.quebec/>.

To receive future notices and updates regarding the auto parts class actions and any future settlements, register online at www.siskinds.com/autoparts.

If you have questions that are not answered online, please contact Class Counsel at the numbers listed above.

O. INTERPRETATION

This notice contains a summary of some of the terms of the settlement agreements listed in part D. If there is a conflict between the provisions of this notice and the settlement agreements, the terms of the settlement agreements shall prevail.

Schedule “A” – Part Descriptions and Settlement Class Period

Part	Description	Settlement Class Period
Air Conditioning Systems	Air Conditioning Systems means systems that cool the interior environment of an Automotive Vehicle and are part of an Automotive Vehicle’s thermal system. An Air Conditioning System may include, to the extent included in the relevant request for quotation, compressors, condensers, HVAC units (blower motors, actuators, flaps, evaporators, heater cores, and filters embedded in a plastic housing), control panels, sensors, and associated hoses and pipes.	January 1, 2001 to March 1, 2010
Automotive Exhaust Systems	Automotive Exhaust Systems means an automotive system that collects exhaust gases from the engine and guides them out of the Automotive Vehicle. The term Automotive Exhaust Systems includes the following related components, to the extent included in the relevant request for quotation: manifolds, flex pipes, catalytic converters, converters, diesel oxidation catalysts, diesel particulate filters, oxygen sensors, exhaust gas temperature sensors, isolators, gaskets, clamps, resonator assemblies, pipe accessories, mufflers, muffler assemblies, and tubes.	January 1, 2002 to December 10, 2019
Bearings	Bearings mean a friction-reducing device installed in new Automotive Vehicles that allows one moving part to glide past another moving part and includes automotive wheel hub unit bearings.	April 20, 1998 to July 9, 2020
Body Sealing Parts	Body Sealing Parts means body-sided operating seals, door-sided weather stripping, glass-run channels, trunk lids, trunk lid weather stripping and other smaller seals, which are installed in Automotive Vehicles to keep the interior dry from rain and free from wind and exterior noises.	January 1, 2000 to May 14, 2019
Ceramic Substrates	Ceramic Substrates means uncoated ceramic monoliths (cylindrical or rectangular tubes) containing a fine mesh-like inner structure that runs the length of the tube. Ceramic Substrates are coated with a mix of metals and other chemicals and then incorporated into catalytic converters, which are installed in Automotive Vehicles.	July 1, 1999 to April 2, 2019
Door Latches	Door latches includes side-door latches and latch minimodules (also known as minimodule latches). Side-door latches secure an automotive door to a vehicle body and may be locked to prevent unauthorized access to a vehicle. Latch minimodules include the side-door latches and all of the related mechanical operating components, including the electric lock function.	September 1, 2008 to April 21, 2022

Part	Description	Settlement Class Period
Ignition Coils	Ignition Coils means induction coils in an Automotive Vehicle's ignition system. Ignition Coils transform the low voltage of an Automotive Vehicle's battery to the thousands of volts needed to create an electric spark in the spark plugs to ignite the fuel.	January 1, 2000 to March 20, 2017

Schedule "B" – Approving Courts

Settling Defendant	Part	Approving Court(s)
Bosal	Automotive Exhaust Systems	Ontario *
Corning	Ceramic Substrates	Ontario
Diamond	Ignition Coils	Ontario and Quebec*
Green Tokai	Body Sealing Parts	Ontario
Kiekert	Door Latches	Ontario
Nachi	Bearings	Ontario, British Columbia, and Quebec
Sanden	Air Conditioning Systems	Ontario*

* Following the Ontario Court issuing an approval order, the BC Court will be asked to dismiss or discontinue the applicable action(s) as against the settling defendants.