

# PROPOSED SETTLEMENTS IN CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS

## BETWEEN 1995 AND 2021, DID YOU OR YOUR COMPANY:

1. Purchase and/or lease, directly or indirectly, a new or used automotive vehicle in Canada or for import into Canada; and/or
2. Purchase, directly or indirectly, any of the automotive parts listed in the chart below in Canada.



If so, you might be affected by settlements reached in related class actions.

### SETTLEMENTS ACHIEVED

The following settlements have been achieved:

Defendants	Relevant Part	Relevant Period	Amount
Alps Electric Co., Ltd., Alps Electric (North America), Inc., and Alps Automotive Inc.	Heater Control Panels	2000 to 2016	<b>\$425,000.00</b>
Faurecia SA, Faurecia Emissions Control Technologies Canada, Ltd., Faurecia Emissions Control Technologies, USA, LLC, Faurecia Exhaust Systems, LLC (misnamed as Faurecia Exhaust Systems, Inc.), and Faurecia Systèmes d'Échappement	Automotive Exhaust Systems	2002 to 2019	<b>\$207,962.04</b>
INOAC Corporation, INOAC USA, Inc., INOAC Interior Systems LLC, INOAC Interior Systems LP, and INOAC Canada Limited <sup>1</sup>	Plastic Interior Trim	2004 to 2020	<b>USD\$325,000</b>
Kayaba Industry Co. Ltd. d/b/a KYB Corporation and KYB Americas Corporation	Shock Absorbers	1995 to 2019	<b>\$4,840,000</b>
Marelli Corporation (formerly known as Calsonic Kansei Corporation) and Marelli North America, Inc. (formerly known as Calsonic Kansei North America, Inc.)	Air Conditioning Systems	2001 to 2019	\$878,935.99
	Automatic Transmission Fluid Warmers and Oil Coolers	2002 to 2017	\$64,867.52
	Heater Control Panels	2000 to 2016	\$50,000.00
	Instrument Panel Clusters	1998 to 2015	\$50,000.00
	Plastic Interior Trim	2004 to 2020	\$50,000.00
	Radiators	2000 to 2017	\$952,907.73
	<b>Total</b>		<b>\$2,046,711.24</b>
Mikuni Corporation and Mikuni American Corporation	Fuel Injection Systems	2000 to 2017	\$395,976.00
	Valve Timing Control Devices	2000 to 2017	\$98,994.00
	<b>Total</b>		<b>\$494,970.00</b>
NSK Ltd., NSK Corporation, NSK Canada Inc., NSK Americas, Inc., NSK Europe Ltd., NSK Steering Systems Co., Ltd., and NSK Steering Systems America, Inc.	Bearings	1998 to 2020	USD\$2,992,500.00
	Electric Powered Steering Assemblies	2005 to 2018	USD\$338,500.00
	Manual Steering Columns	2007 to 2020	USD\$169,000.00
	<b>Total</b>		<b>USD\$3,500,000.00</b>
Panasonic Corporation, Panasonic Corporation of North America, and Panasonic Canada, Inc.	Air Conditioning Systems	2001 to 2019	\$126,000.00
	High Intensity Discharge Ballasts	1998 to 2018	\$927,000.00
	Steering Angle Sensors	2003 to 2018	\$1,056,000.00
	Switches	2003 to 2018	\$891,000.00
	<b>Total</b>		<b>\$3,000,000.00</b>

<sup>1</sup>The Plaintiffs intend to discontinue the Plastic Interior Trim action against the defendants, Springfield Interior Trim, LLC, Blenheim Interior Trim, LLP, and Intertec Systems, in accordance with the terms of the INOAC settlement.

Defendants	Relevant Part	Relevant Period	Amount
Robert Bosch GmbH, Robert Bosch LLC, Robert Bosch North America Corporation, Bosch Brake Components LLC, and Robert Bosch Inc.	Braking Systems	2007 to 2021	<b>\$319,326.88</b>
Hitachi Astemo Ohio Manufacturing, Inc. (f/k/a American Showa, Inc.), Hitachi Astemo Canada, Inc. (f/k/a Showa Canada Inc.), and Hitachi Astemo, Ltd. (f/k/a Showa Corporation)	Electric Powered Steering Assemblies	2005 to 2018	\$696,627.00
	Shock Absorbers	1995 to 2019	\$1,672,853.00
	<b>Total</b>		<b>\$2,369,480.00</b>
Schaeffler AG, Schaeffler Group USA Inc., Schaeffler Canada Inc., Schaeffler Technologies GmbH & Co. KG, and FAG Kugelfischer GmbH	Bearings	1998 to 2020	<b>\$3,336,675.00</b>
USUI International Corporation, USUI Co., Ltd. (f/k/a/ USAI Kokusai Sangyo Kaisha Ltd.)	Automotive Steel Tubes	2003 to 2020	\$792,000.00

The settlements are a compromise of disputed claims and are not an admission of liability, wrongdoing or fault by any of the parties. Depending on where the litigation was commenced, the settlements are subject to the approval of one or more of the Ontario, British Columbia and/or Quebec Courts.

Settlement class members have the following options:

1. Tell the Court what you think about the proposed settlements in writing or speak to the Court at the hearings. Written submissions must be submitted on or before May 6, 2021;
2. Opt out of (or exclude yourself from) the Braking Systems and Manual Steering Columns actions. There will be no further opportunities to opt out of these actions. Requests to opt out must be postmarked on or before June 19, 2021. The deadlines to opt out of the other actions listed above have already passed; or
3. Do nothing, which will allow you to be eligible to participate in the ongoing class actions.

See the long-form notice online at [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts) for more information.

## PROPOSED DISTRIBUTION OF SETTLEMENT FUNDS

The Courts will also be asked to approve a protocol for distributing the aggregate settlement funds in the actions listed below. A copy of the proposed distribution protocol is available at [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts).

To be eligible for compensation, a Settlement Class Member must have purchased and/or leased one or more of the following new passenger cars, sport utility vehicles, vans, and light trucks (up to 10,000 lbs) "Affected Vehicles":

Action	Brands	Event Period	Post Event Period
Alternators	Aston Martin, BMW, Chrysler, Ford, GM, Honda/Acura, Jaguar Land Rover, Lincoln, Nissan/Infiniti, Subaru, Volkswagen, Volvo	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014
Automatic Transmission Fluid Warmers and Oil Coolers	Toyota/Lexus	November 1, 2002 to February 28, 2010	March 1, 2010 to February 28, 2014
Automotive Brake Hoses	Toyota/Lexus	November 1, 2005 to September 30, 2009	October 1, 2009 to September 30, 2013
Automotive Hoses	Nissan/Infiniti, Toyota/Lexus	February 1, 2004 to September 30, 2010	October 1, 2010 to September 30, 2014
Fuel Injection Systems	GM, Nissan/Infiniti	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014
Heater Control Panels	GM (Pontiac Vibe only), Toyota/Lexus	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014
Inverters	GM, Nissan/Infiniti	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014
Motor Generators	GM, Nissan/Infiniti	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014
Occupant Safety Systems	BMW, Honda/Acura, GM (Pontiac Vibe only), Mazda, Nissan/Infiniti, Subaru, Toyota/Lexus, Volkswagen	January 1, 2003 to June 30, 2011	July 1, 2011 to December 4, 2014
Oxygen Sensors	Chrysler, Ford, GM, Honda/Acura, Nissan/Infiniti, Subaru, Toyota/Lexus	January 1, 2000 to July 31, 2011	August 1, 2011 to July 31, 2015

Action	Brands	Event Period	Post Event Period
Radiators	GM (Pontiac Vibe and Saab 9-2x only), Honda/Acura, Subaru, Toyota/Lexus	November 1, 2002 to February 28, 2010	March 1, 2010 to February 28, 2014
Spark Plugs	Chrysler, Ford, GM, Honda/Acura, Nissan/Infiniti, Subaru, Toyota/Lexus	January 1, 2000 to July 31, 2011	August 1, 2011 to July 31, 2015
Starters	Aston Martin, BMW, Chrysler, Ford, GM, Honda/Acura, Jaguar Land Rover, Lincoln, Nissan/Infiniti, Volkswagen, Volvo	January 1, 2000 to June 30, 2010	July 1, 2010 to June 30, 2014
Steering Angle Sensors	GM (Pontiac Vibe only), Toyota/Lexus	September 1, 2003 to February 28, 2010	March 1, 2010 to February 28, 2014
Switches	GM (Pontiac Vibe only), Toyota/Lexus	September 1, 2003 to February 28, 2010	March 1, 2010 to February 28, 2014
Windshield Wiper Systems	Chrysler, Honda/Acura, Nissan/Infiniti, Subaru, Toyota/Lexus	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014

**No wrongdoing is alleged against Aston Martin, BMW, Chrysler, Ford, General Motors, Honda/Acura, Jaguar Land Rover, Lincoln, Mazda, Nissan/Infiniti, Subaru, Toyota/Lexus, Volkswagen, and Volvo (the “Automakers”). They are not defendants in the class actions.** The class actions were brought against automotive part manufacturers who allegedly price-fixed the products listed above. The Automakers unknowingly installed the allegedly price-fixed automotive parts in their automotive vehicles.

The proposed distribution protocol provides that, subject to further order of the Ontario Court, the settlement funds will be distributed on a pro rata (or proportional) basis based 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 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. 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. Dealer’s 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.

See the long-form notice available online at [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts) for a sample calculation.

There are 21 ongoing class actions alleging the price-fixing of automotive parts. To the extent those actions resolve and the brands and time period overlap with the proposed Distribution Protocol, subject to court approval, your eligibility for settlement benefits in those actions will depend on applying for settlement benefits in accordance with the proposed Distribution Protocol.

In addition, the Ontario Court will be asked to approve a protocol for distributing the aggregate settlement funds in the Automotive Constant-Velocity-Joint Boot Products action (the “CVJB Distribution Protocol”). Automakers with manufacturing facilities in Canada who purchased at least \$100,000 in Automotive Constant-Velocity-Joint Boots directly from GKN plc or one of its subsidiaries between January 1, 2006 and October 1, 2014, will be eligible for compensation under the CVJB Distribution Protocol. **No wrongdoing is alleged against GKN plc. It is not a defendant in the CVJB class action.** GKN plc was identified as a target of the conspiracy in a U.S. guilty plea relating to CVJB. A copy of the proposed CVJB Distribution Protocol is available at [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts).

For updates on the status of the proposed distribution of settlement funds, visit [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts).

## CLASS COUNSEL

The law firms of Siskinds LLP, Sotos LLP, Camp Fiorante Matthews Mogerman LLP, Siskinds Desmeules s.e.n.c.r.l., and Klein Avocats Plaideurs (Automotive Steel Tubes and Plastic Interior Trim actions only) represent members of these class actions.

For more information, visit [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts), email [autoparts@sotosllp.com](mailto:autoparts@sotosllp.com) or call 1.888.977.9806.