

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS	:	Master File No. 12-md-02311
ANTITRUST LITIGATION	:	Honorable Marianne O. Battani
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IN RE: WIRE HARNESS	:	Case No. 2:12-cv-00103-MOB-MKM
IN RE: INSTRUMENT PANEL CLUSTERS	:	Case No. 2:12-cv-00203-MOB-MKM
IN RE: FUEL SENDERS	:	Case No. 2:12-cv-00303-MOB-MKM
IN RE: HEATER CONTROL PANELS	:	Case No. 2:12-cv-00403-MOB-MKM
IN RE: OCCUPANT SAFETY RESTRAINT	:	Case No. 2:12-cv-00603-MOB-MKM
SYSTEMS	:	
IN RE: ALTERNATORS	:	Case No. 2:13-cv-00703-MOB-MKM
IN RE: RADIATORS	:	Case No. 2:13-cv-01003-MOB-MKM
IN RE: STARTERS	:	Case No. 2:13-cv-01103-MOB-MKM
IN RE: SWITCHES	:	Case No. 2:13-cv-01303-MOB-MKM
IN RE: IGNITION COILS	:	Case No. 2:13-cv-01403-MOB-MKM
IN RE: MOTOR GENERATORS	:	Case No. 2:13-cv-01503-MOB-MKM
IN RE: STEERING ANGLE SENSORS	:	Case No. 2:13-cv-01603-MOB-MKM
IN RE: HID BALLASTS	:	Case No. 2:13-cv-01703-MOB-MKM
IN RE: INVERTERS	:	Case No. 2:13-cv-01803-MOB-MKM
IN RE: AIR FLOW METERS	:	Case No. 2:13-cv-02003-MOB-MKM
IN RE: FUEL INJECTION SYSTEMS	:	Case No. 2:13-cv-02203-MOB-MKM
IN RE: AUTOMATIC TRANSMISSION	:	Case No. 2:13-cv-02403-MOB-MKM
FLUID WARMERS	:	
IN RE: VALVE TIMING CONTROL	:	Case No. 2:13-cv-02503-MOB-MKM
DEVICES	:	
IN RE: ELECTRONIC THROTTLE	:	Case No. 2:13-cv-02603-MOB-MKM
BODIES	:	

THIS DOCUMENT RELATES TO:
ALL END-PAYOR ACTIONS

**ORDER GRANTING END-PAYOR PLAINTIFFS' MOTION FOR AUTHORIZATION
TO DISSEMINATE COMBINED NOTICE TO THE
END-PAYOR PLAINTIFFS SETTLEMENT CLASSES**

On October 13, 2015, the Court entered the Corrected Order Granting End-Payor Plaintiffs' Motion for Authorization to Disseminate Notice to the End-Payor Plaintiff Settlement Classes ("Notice Order").¹ The Notice Order: (i) approved End-Payor Plaintiffs' proposed notice plan; (ii) authorized End-Payor Plaintiffs to disseminate notice of their settlements with Hitachi Automotive Systems, Ltd. ("HIAMS") and T.RAD Co., Ltd. and T.RAD North America, Inc. (together, "T.RAD"); and (iii) appointed Kinsella Media, LLC ("Kinsella") and Garden City Group, LLC ("GCG") as Notice Administrator and Settlement Claims Administrator, respectively.

In this Motion for Authorization to Disseminate Combined Notice to the End-Payor Plaintiff Settlement Classes ("Motion")², End-Payor Plaintiffs seek approval of their notice plan

¹ *Alternators*, 2:13-cv-00703, ECF No. 55; *Starters*, 2:13-cv-01103, ECF No. 65; *Radiators*, 2:13-cv-01003, ECF No. 99; *Ignition Coils*, 2:13-cv-01403, ECF No. 53; *Motor Generator*, 2:13-cv-01503, ECF No. 63; *Inverters*, 2:13-cv-01803, ECF No. 55; *Air Flow Meters*, 2:13-cv-02003, ECF No. 28; *Fuel Injection Systems*, 2:13-cv-02203, ECF No. 152; *Automatic Transmission Fluid Warmers*, 2:13-cv-02403, ECF No. 26; *Valve Timing Control Devices*, 2:13-cv-02503, ECF No. 105; and *Electronic Throttle Bodies*, 2:13-cv-02603, ECF No. 28.

² End-Payor Plaintiffs have reached settlements with the following Defendants with respect to the following parts: (1) Autoliv, Inc., Autoliv ASP, Inc., Autoliv B.V. & Co. KG, Autoliv Safety Technology, Inc., and Autoliv Japan Ltd. (collectively, "Autoliv") (*Occupant Safety Restraint Systems*); (2) Fujikura, Ltd. and Fujikura Automotive America LLC (together, "Fujikura") (*Wire Harness Systems*); (3) HIAMS (*Alternators; Starters; Ignition Coils; Motor Generators; Inverters; Air Flow Meters; Fuel Injection Systems; Valve Timing Control Devices; Electronic Throttle Bodies*); (4) Kyungshin-Lear Sales and Engineering, LLC ("KL Sales") (*Wire Harness Systems*); (5) Lear Corporation ("Lear") (*Wire Harness Systems*); (6) Nippon Seiki Co., Ltd., N.S. International, Ltd., and New Sabina Industries, Inc. (collectively, "Nippon Seiki") (*Instrument Panel Clusters*); (7) Panasonic Corporation and Panasonic Corporation of North America (together, "Panasonic") (*Switches; Steering Angle Sensors; HID Ballasts*); (8) T.RAD (*Automatic Transmission Fluid Warmers; Radiators*); (9) TRW Deutschland Holding GmbH and ZF TRW Automotive Holdings Corp. (formerly known as "TRW Automotive Holdings Corp.") (together, "TRW") (*Occupant Safety Restraint Systems*); (10) Sumitomo Electric Industries, Ltd., Sumitomo Wiring Systems, Ltd., Sumitomo Electric Wiring Systems, Inc. (incorporating K&S Wiring Systems, Inc.), Sumitomo Wiring Systems (U.S.A.) Inc., (collectively, "Sumitomo") (*Wire Harness Systems; Heater Control Panels*); and (11) Yazaki Corporation and Yazaki North America, Incorporated (together, "Yazaki") (*Wire Harness Systems; Instrument Panel Clusters*);

and authorization to disseminate a combined notice concerning settlements reached with nine defendant families in addition to Hitachi and T.RAD.

Upon consideration of the Motion, it is hereby ORDERED as follows:

1. The Motion is hereby **GRANTED**.
2. Unless otherwise set forth herein, all defined terms shall have the same meaning ascribed to them in the settlement agreements.

Notice to Potential Class Members

3. The Court approves the form and content of the: (a) Updated Notice of Proposed Settlement of End-Payor Plaintiffs' Class Actions with Settling Defendants ("Notice"), attached hereto as Exhibit "A"; and (b) Updated Summary Notice of Proposed Settlement of End-Payor Plaintiffs' Class Actions with Settling Defendants ("Summary Notice"), attached hereto as Exhibit "B."

4. The Court finds that the posting and publication of the Notice and Summary Notice, respectively, in the manner set forth herein constitutes the best notice practicable under the circumstances and is valid, due and sufficient notice to all persons entitled thereto and complies fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the Constitution of the United States.

5. On or before **March 4, 2016**, GCG shall publish relevant documents on the Settlement Website.³

Fuel Senders). The Court has preliminarily certified settlement classes for 22 of the 25 settlements ("Settlement Classes"). End-Payor Plaintiffs have filed motions for preliminary approval of their settlements with Fujikura (*Wire Harness Systems*) and Sumitomo (*Wire Harness Systems; Heater Control Panels*).

³ In accordance with the Notice Order, GCG has already launched a toll-free hotline and Settlement Website.

6. On or before **March 4, 2016**, Kinsella shall commence publication of the Summary Notice in newspaper supplements, a newspaper, and trade and consumer publications, begin online media notice activities, including posting internet banner ads and keyword search, and begin earned media activities in the manner set forth in the Notice Program as described in the Declaration of Katherine Kinsella on Adequacy of Combined Notice and Notice Plan, filed contemporaneously herewith.

7. On or before **March 11, 2016**, Kinsella and GCG shall file with the Court provisional affidavits or declarations of the persons responsible for the posting of the Notice and publication of the Updated Summary Notice, reporting on the status of the mailing, posting, and publication of the Updated Notice and Summary Notice.

8. On or before **March 11, 2016**, Settlement Class Counsel shall file with the Court their Motion for Final Approval of the Settlements, Motion for Reimbursement of Costs and Expenses and for the Establishment of a Fund for Future Litigation Expenses and, if Settlement Class Counsel elects, Motion for Attorneys' Fees by Settlement Class Counsel and Incentive Awards for the Named Class Representatives.

9. On or before **March 28, 2016**, Kinsella and GCG shall file with the Court affidavits or declarations of the persons under whose general direction the posting of the Notice and publication of the Updated Summary Notice were made, showing that mailing, posting, and publication were made in accordance with this Order.

10. All requests for exclusion from the Settlement Classes must be in writing, postmarked no later than **April 11, 2016**, after entry of this Order and must otherwise comply with the requirements set forth in the Notice.

11. Any member of the Settlement Classes who objects to the proposed settlements with Autoliv, Fujikura, HIAMS, KL Sales, Lear, Nippon Seiki, Panasonic, T.RAD, TRW, Sumitomo or Yazaki, must do so in writing, specifically referencing which of the settlements the Class member objects to, postmarked no later than **April 11, 2016**, after the Publication Notice Date and must otherwise comply with the requirements set forth in the Notice.

12. Each member of the Settlement Classes shall retain all rights and causes of action with respect to claims against every defendant other than the Settling Defendants, regardless of whether such member of the Settlement Classes decides to remain in, or request exclusion from, any or all of the Settlement Classes.

13. The Court will hold a Fairness Hearing on **May 11, 2016, at 3:00 p.m.**, after entry of this Order, at the Theodore Levin U.S. Courthouse, Courtroom 272, 231 West Lafayette Blvd., Detroit MI 48226, to determine the fairness, reasonableness, and adequacy of the proposed settlements with the Settling Defendants, and to consider whether: (i) to permit Co-Lead Class Counsel to utilize a portion of the Settlement Funds to pay End-Payor Plaintiffs counsel's litigation expenses and fees; (ii) to permit Co-Lead Class Counsel to establish a fund for future litigation expenses; and (iii) if requested, grant Co-Lead Class Counsel's request for attorneys' fees and incentive awards for the named Class Representatives. Any Settlement Class member who follows the procedure set forth in the Notice may appear and be heard at this hearing. The Fairness Hearing may be rescheduled, adjourned or continued without further notice to the Settlement Classes.

IT IS SO ORDERED.

Date: January 26, 2016

s/Marianne O. Battani
MARIANNE O. BATTANI
United States District Judge

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on January 26, 2016.

s/ Kay Doaks
Case Manager