

# If You Bought or Leased a New Vehicle or Indirectly Bought Replacement Parts for a Vehicle in the U.S. Since 2002

You Could Receive \$100 or More From New Settlements Totaling \$3.152 Million

Claims Deadline is January 7, 2023

*A Federal Court authorized this Notice. This is not a solicitation from a lawyer.*

- Please read this Notice and the Settlement Agreements<sup>1</sup> available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com) carefully. Your legal rights may be affected whether you act or don't act. This Notice is a summary, and it is not intended to, and does not, include all the specific details of each Settlement Agreement. To obtain more specific details concerning the Settlements, please read the Settlement Agreements.
- Separate lawsuits claiming that Defendants in each lawsuit entered into unlawful agreements that artificially raised the prices of certain component parts of qualifying new vehicles (described in Question 7 below) have been settled with 74 groups of Defendants and their affiliates ("Settling Defendants," and each Defendant group is a "Settling Defendant"). Previously, settlements with 73 of the Settling Defendants ("Round 1 Settlements" totaling approximately \$225 million, "Round 2 Settlements" totaling approximately \$379 million, and "Round 3 Settlements" totaling approximately \$433 million, and "Round 4 Settlements" totaling approximately \$184 million) received final Court approval.
- Now, additional Settlements totaling approximately \$3.152 million have been reached with three Settling Defendants.<sup>2</sup> These Settling Defendants are called the "Round 5 Settling Defendants," and the settlements with them are called the "Round 5 Settlements." The Round 5 Settlements will resolve this litigation in full. This Notice will give you details of those proposed Round 5 Settlements and your rights in these lawsuits.
- Generally, you are included in the Round 5 Settlement Classes if, at any time between 2002 and 2018, depending upon the component part, you: (1) bought or leased a qualifying new vehicle in the U.S. (not for resale) or (2) indirectly purchased a qualifying vehicle replacement part (not for resale). Indirectly means you bought the vehicle replacement part from someone other than the manufacturer of the part. To find out if your vehicle qualifies, go to [www.AutoPartsClass.com](http://www.AutoPartsClass.com).
- As more fully described in Question 9 below, the Round 5 Settling Defendants have agreed to pay approximately \$3.152 million to be made available to members of the Round 5 Settlement Classes who purchased or leased a qualifying new vehicle or indirectly purchased a qualifying vehicle replacement part in, or while residing or having a principal place of business in, the District of Columbia or one or more of the following States: Arizona, Arkansas, California, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin. To qualify, vehicles and replacement parts must not have been purchased for resale. This amount will also be used to pay attorneys' fees, costs, and expenses and notice and claims administration costs, as approved by the Court.
- Except Bosal Industries Georgia, Inc. and Bosal USA, Inc., the other Round 5 Settling Defendants also agreed not to engage in the specified conduct that is the subject of the lawsuits for a period of two years from a specified date. All of the Round 5 Settlement Defendants cooperated in the litigation.

<sup>1</sup> "Settlement Agreements" or "Round 5 Settlement Agreements" mean the settlement agreements with the Round 5 Settling Defendants.

<sup>2</sup> Two of the three Round 5 Settling Defendants settled claims related to different automotive parts in earlier settlement rounds.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## YOUR LEGAL RIGHTS AND OPTIONS

<b>SUBMIT A CLAIM</b>	<p>The only way to get a payment from the Round 5 Settlements.</p> <p>If you already filed a claim in the previous Settlements (Rounds 1 through 4) for qualifying new vehicles or replacement parts that are included in the Round 5 Settlements, you do not need to submit another claim for those vehicles or replacement parts. To qualify, vehicles and replacement parts must not have been purchased for resale. You should submit a claim if you have additional qualifying vehicles or replacement parts to report or if you have not previously submitted a claim for qualifying new vehicles or replacement parts that are included in the Round 5 Settlements.</p> <p>The deadline for submitting claims to share in the previous settlements (Rounds 1 through 4) has passed. You are no longer able to submit a claim for payment from the Settlements in Rounds 1 through 4.</p>	January 7, 2023
<b>EXCLUDE YOURSELF</b>	<p>You will not be included in the Settlement Classes for the Round 5 Settlements from which you exclude yourself. You will receive no benefits from those Round 5 Settlements, but you will keep any rights you currently have to sue these Round 5 Settling Defendants about the claims in the Round 5 Settlement Classes from which you exclude yourself.</p>	December 20, 2022
<b>DO NOTHING</b>	<p>You will be included in the Settlement Classes for the Round 5 Settlements and are eligible to file a claim for a payment (if you qualify). If you do not file a claim for a payment by <b>January 7, 2023</b>, and you did not previously file a claim for qualifying new vehicles or replacement parts included in the Round 5 Settlements, you will not receive a payment from the Round 5 Settlements. You will give up your rights to sue the Round 5 Settling Defendants about the claims in these cases.</p>	
<b>OBJECT TO THE SETTLEMENTS AND PROPOSED PLAN OF ALLOCATION</b>	<p>If you do not exclude yourself, you can write to the Court explaining why you disagree with any of the Round 5 Settlements, the proposed Plan of Allocation, or any future request for attorneys' fees and reimbursement of costs and expenses to be awarded.</p>	December 20, 2022
<b>GO TO THE HEARING</b>	<p>If you submit a written objection, you may ask to speak in Court about your opinion of the Round 5 Settlements.</p>	January 12, 2023, at 2:00 p.m.

- These rights and options—and the deadlines to exercise them—are explained in this Notice.
- The Court in charge of these cases still has to decide whether to finally approve the Round 5 Settlements. Payments will only be made if the Court approves the Round 5 Settlements and the proposed Plan of Allocation, and after any appeals are resolved.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

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Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)

## BASIC INFORMATION

### 1. WHY IS THERE A NOTICE?

This Notice is to inform you about the Round 5 Settlements reached in this litigation, before the Court decides whether to finally approve these Settlements.

The Court in charge is the United States District Court for the Eastern District of Michigan. This litigation is known as *In re: Automotive Parts Antitrust Litigation*. Within this litigation there are several different lawsuits. The people who sued are called the “Plaintiffs.” The companies they sued are called the “Defendants.”

Previously, you may have received notice about the Settlements in Rounds 1 through 4. The Round 1 Settlements received final approval from the Court, as amended, on August 9, 2016. The Round 2 Settlements received final approval from the Court on July 10, 2017. The Round 3 Settlements received final approval from the Court on November 7, 2018. The Round 4 Settlements received final approval from the Court on September 23, 2020.

Round 5 Settlements have now been reached with three Defendant groups, which is why there is another Notice. This is the final round of Settlements in this litigation. This Notice explains the lawsuits, proposed Round 5 Settlements, the proposed Plan of Allocation, and your legal rights, including your ability to file a claim to receive a payment (if eligible).

### 2. WHAT ARE THESE LAWSUITS ABOUT?

Each lawsuit claims that the Defendants in that lawsuit agreed to unlawfully raise the price of a certain kind of vehicle component part. (For example, one lawsuit is called *In re: Exhaust Systems*, and the affected product is exhaust systems.) As a result of the alleged agreements by Defendants, consumers and businesses who purchased or leased qualifying new vehicles (not for resale) containing those parts or who indirectly purchased qualifying replacement parts (not for resale) from the Defendants may have paid more than they should have. Although the Round 5 Settling Defendants have agreed to settle, they do not agree that they engaged in any wrongdoing or are liable or owe any money or benefits to Plaintiffs. The Court has not decided who is right.

### 3. WHO ARE THE ROUND 5 SETTLING DEFENDANTS?

The Round 5 Settling Defendants are

1. Bosal USA, Inc. and Bosal Industries-Georgia, Inc. (together “Bosal”),
2. Robert Bosch GmbH and Robert Bosch LLC (together “Bosch”)<sup>3</sup>, and
3. ZF TRW Automotive Holdings Corp, ZF Friedrichshafen AG (into which TRW KFZ Ausrüstung GmbH merged), and Lucas Automotive GmbH (now known as ZF Active Safety GmbH) (together “TRW”)<sup>4</sup>.

### 4. HAVE THERE BEEN ANY OTHER SETTLEMENTS RELATED TO THIS LAWSUIT?

Yes. The following companies previously agreed to the Round 1 Settlements in the lawsuits:

1. Autoliv, Inc.; Autoliv ASP, Inc.; Autoliv B.V. & Co. KG; Autoliv Safety Technology, Inc.; and Autoliv Japan Ltd.,
2. Fujikura, Ltd. and Fujikura Automotive America LLC,
3. Hitachi Automotive Systems, Ltd. (partial settlement),
4. Kyungshin-Lear Sales and Engineering, LLC,
5. Lear Corporation,
6. Nippon Seiki Co., Ltd.; N.S. International, Ltd.; and New Sabina Industries, Inc.,
7. Panasonic Corporation and Panasonic Corporation of North America (partial settlement),
8. Sumitomo Electric Industries, Ltd.; Sumitomo Wiring Systems, Ltd.; Sumitomo Electric Wiring Systems, Inc. (incorporating K&S Wiring Systems, Inc.); and Sumitomo Wiring Systems (U.S.A.) Inc.,
9. T.RAD Co., Ltd. and T.RAD North America, Inc.,
10. TRW Deutschland Holding GmbH and TRW Automotive Holdings Corporation (now known as “ZF TRW Automotive Holdings Corp.”), and
11. Yazaki Corporation and Yazaki North America, Incorporated.

<sup>3</sup> Previously, Bosch settled lawsuits related to Fuel Injection Systems, Spark Plugs, Starters, and Windshield Wiper Systems.

<sup>4</sup> Previously, TRW settled lawsuits related to Occupant Safety Restraint Systems.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

The following companies previously agreed to the Round 2 Settlements in the lawsuits:

1. Aisin Seiki Co., Ltd. and Aisin Automotive Casting, LLC,
2. DENSO Corporation; DENSO International America, Inc.; DENSO International Korea Corporation; DENSO Korea Automotive Corporation; DENSO Automotive Deutschland GmbH; ASMO Co., Ltd.; ASMO North America, LLC; ASMO Greenville of North Carolina, Inc.; and ASMO Manufacturing, Inc.,
3. Furukawa Electric Co., Ltd. and American Furukawa, Inc.,
4. G.S. Electech, Inc.; G.S. Wiring Systems Inc.; and G.S.W. Manufacturing, Inc.,
5. LEONI Wiring Systems, Inc. and Leonische Holding Inc.,
6. Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; and Mitsubishi Electric Automotive America, Inc.,
7. NSK Ltd.; NSK Americas, Inc.; NSK Steering Systems Co., Ltd.; and NSK Steering Systems America, Inc.,
8. Omron Automotive Electronics Co. Ltd.,
9. Schaeffler Group USA Inc.,
10. Sumitomo Riko Co. Ltd. and DTR Industries, Inc.,
11. Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc., and
12. Valeo Japan Co., Ltd. on behalf of itself and Valeo Inc.; Valeo Electrical Systems, Inc.; and Valeo Climate Control Corp.

The following companies previously agreed to the Round 3 Settlements in the lawsuits:

1. Aisan Industry Co., Ltd.; Franklin Precision Industry, Inc.; Aisan Corporation of America; and Hyundam Industrial Co., Ltd.,
2. ALPHA Corporation and Alpha Technology Corporation,
3. Alps Electric Co., Ltd.; Alps Electric (North America), Inc.; and Alps Automotive Inc.,
4. Robert Bosch GmbH and Robert Bosch LLC,
5. Bridgestone Corporation and Bridgestone APM Company,
6. Calsonic Kansei Corporation and Calsonic Kansei North America, Inc.,
7. Chiyoda Manufacturing Corporation and Chiyoda USA Corporation,
8. Continental Automotive Electronics LLC; Continental Automotive Korea Ltd; and Continental Automotive Systems, Inc.,
9. Diamond Electric Mfg. Co., Ltd. and Diamond Electric Mfg. Corporation,
10. Eberspächer Exhaust Technology GmbH & Co. KG and Eberspächer North America Inc.,
11. Faurecia Abgastechnik GmbH; Faurecia Systèmes d'Échappement; Faurecia Emissions Control Technologies, USA, LLC; and Faurecia Emissions Control Systems, N.A. LLC f/k/a Faurecia Exhaust Systems, Inc.,
12. Hitachi Automotive Systems, Ltd.,
13. Hitachi Metals, Ltd.; Hitachi Cable America Inc.; and Hitachi Metals America, Ltd.,
14. INOAC Corporation; INOAC Group North America, LLC; and INOAC USA Inc.,
15. JTEKT Corporation; JTEKT Automotive North America, Inc.; and JTEKT North America Corp. (formerly d/b/a Koyo Corporation of U.S.A.),
16. Kiekert AG and Kiekert U.S.A., Inc.,
17. Koito Manufacturing Co., Ltd. and North American Lighting, Inc.,
18. MAHLE Behr GmbH & Co. KG and MAHLE Behr USA Inc.,
19. MITSUBA Corporation and American Mitsuba Corporation,
20. Nachi-Fujikoshi Corp. and Nachi America Inc.,
21. NGK Insulators, Ltd. and NGK Automotive Ceramics USA, Inc.,
22. NGK Spark Plug Co., Ltd. and NGK Spark Plugs (U.S.A.), Inc.,
23. Nishikawa Rubber Company, Ltd.,
24. NTN Corporation and NTN USA Corporation,
25. Sanden Automotive Components Corporation; Sanden Automotive Climate Systems Corporation; and Sanden International (U.S.A.) Inc.,
26. SKF USA Inc.,
27. Stanley Electric Co., Ltd.; Stanley Electric U.S. Co., Inc.; and II Stanley Co., Inc.,
28. Tenneco Inc.; Tenneco GmbH; and Tenneco Automotive Operating Co., Inc.,
29. Toyo Tire & Rubber Co. Ltd.; Toyo Tire North America OE Sales LLC; and Toyo Automotive Parts (U.S.A.), Inc.,
30. Usui Kokusai Sangyo Kaisha, Ltd. and Usui International Corporation,
31. Valeo S.A.,
32. Yamada Manufacturing Co. Ltd. and Yamada North America, Inc., and
33. Yamashita Rubber Co., Ltd. and YUSA Corporation.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

The following companies previously agreed to the Round 4 Settlements in the lawsuits:

1. Brose SchlieBsysteme GmbH & Co. Kommanditgesellschaft and Brose North America,
2. Corning International Kabushiki Kaisha and Corning Incorporated,
3. Delphi Technologies PLC and Delphi Powertrain Systems, LLC,
4. Green Tokai Co., LTD.,
5. Keihin Corporation and Keihin North America, Inc.,
6. KYB Corporation (f/k/a Kayaba Industry Co. Ltd) and KYB Americas Corporation,
7. Maruyasu Industries Co., Ltd. and Curtis Maruyasu America, Inc.,
8. Meritor, Inc. f/k/a ArvinMeritor, Inc.,
9. Mikuni Corporation,
10. Mitsubishi Heavy Industries America, Inc. and Mitsubishi Heavy Industries Climate Control, Inc.,
11. Panasonic Corporation and Panasonic Corporation of North America,
12. Sanoh Industrial Co., Ltd. and Sanoh America, Inc.,
13. Showa Corporation and American Showa, Inc.,
14. Reorganized TK Holdings Trust,
15. Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc.,
16. Toyo Denso Co., Ltd. and Weastec, Inc., and
17. Toyoda Gosei Co., Ltd.; Toyoda Gosei North America Corporation; TG Kentucky, LLC; TG Missouri Corp.; and TG Fluid Systems USA Corporation.

The Court has given final approval to the Round 1 Settlements. *See* Amended Opinion and Order Granting Final Approval to the Round 1 Settlements (August 9, 2016) (available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com), under the “Court Documents” tab, in the “Final Approval” section).

The Court has also given final approval to the Round 2 Settlements. *See* Order Granting Final Approval to the Round 2 Settlements (July 10, 2017) (available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com), under the “Court Documents” tab, in the “Final Approval” section).

The Court has given final approval to the Round 3 Settlements. *See* Order Granting Final Approval to the Round 3 Settlements (November 7, 2018) (available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com), under the “Court Documents” tab, in the “Final Approval” section).

The Court has given final approval to the Round 4 Settlements. *See* Order Granting Final Approval to the Round 4 Settlements (September 23, 2020) (available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com), under the “Court Documents” tab, in the “Final Approval” section).

More information about these Settlements is available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

## 5. WHAT VEHICLE PARTS ARE INCLUDED?

The Round 5 Settlements generally include the vehicle component parts listed below. The specific definitions of the vehicle component parts are available in each Settlement Agreement. Each of those Settlement Agreements, and the related Complaints, are available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or by calling 1-877-940-5043.

- **Electronic Braking Systems** prevent cars from skidding by providing electronic stability controls when braking (anti-lock braking system or “ABS”) or under all driving conditions (electronic stability control or “ESC”).
- **Exhaust Systems** are systems of piping and other parts that convey noxious exhaust gases away from the passenger compartment and reduce the level of pollutants and engine exhaust noise emitted. An Exhaust System includes one or more of the following components: manifold, flex pipes, catalytic converter, oxygen sensor, isolator/gasket/clamps, resonator assemblies/pipe accessories, and muffler/muffler assemblies. An Exhaust System has a “hot end,” which is the part of the Exhaust System that is mounted to the engine, which is generally comprised of a manifold and catalytic converter, and a “cold end,” which is the part of the Exhaust System that is mounted to the underbody of the car, which generally contains a muffler, pipes, and possibly a catalytic converter.
- **Hydraulic Braking Systems** consist of an actuation system and a foundation system. The actuation system is made up of a brake booster and main brake cylinder, while the foundation system is made up of a disc brake with saddle or drum brake and wheel brake cylinder. Hydraulic Braking Systems use fluid to transfer pressure to the vehicle’s braking mechanism, slowing the vehicle.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## 6. WHY ARE THESE CLASS ACTIONS?

In class actions, one or more individuals or companies called the “class representatives” sue on behalf of themselves and other people with similar claims in the specific class action. All of these individuals or companies together are the “Class” or “Class members.” In these Class actions, there are more than fifty Class representatives. In a class action, one court may resolve the issues for all Class members, except for those who exclude themselves from the Class.

## WHO IS INCLUDED IN THE CLASSES

## 7. HOW DO I KNOW IF I MAY BE INCLUDED IN THE ROUND 5 SETTLEMENT CLASSES?

Generally, you may be included in one or more of the Round 5 Settlement Classes if, at any time from 2002 to 2018, you: (1) bought or leased a qualifying new vehicle in the U.S. (not for resale), or (2) indirectly paid to replace one or more of the qualifying vehicle parts listed in Question 5 above (not for resale). In general, qualifying new vehicles include four-wheeled passenger automobiles, vans, sports utility vehicles, crossovers, and pickup trucks.

The specific definition of the qualifying automotive parts, as well as the definition of who is included in the Round 5 Settlement Classes, is set forth in each Settlement Agreement. Each of those Settlement Agreements, and the related Complaints, are available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or by calling 1-877-940-5043.

You will also be able to obtain additional information to learn whether you are a member of one or more of the Round 5 Settlement Classes by visiting [www.AutoPartsClass.com](http://www.AutoPartsClass.com) and providing details regarding your purchase or lease of a new vehicle or your indirect purchase of a replacement part, calling 1-877-940-5043, or sending an email to [info@AutoPartsClass.com](mailto:info@AutoPartsClass.com). To qualify, vehicles and replacement parts must not have been purchased for resale.

A separate Settlement Class has been preliminarily approved by the Court in each of the following cases settled by the Round 5 Settling Defendants. The time period covered by the Round 5 Settlements for each of the Round 5 Settlement Classes is provided below:

Defendant	Time Period Starts	Time Period Ends	Auto Part(s) Cases
Bosal	January 1, 2002	June 5, 2018	Exhaust Systems
Bosch	September 29, 2010	December 31, 2017	Electronic Braking Systems
	February 13, 2007	December 31, 2017	Hydraulic Braking Systems
TRW	February 13, 2007	December 31, 2017	Hydraulic Braking Systems

Payments to members of the Round 5 Settlement Classes only will be made if the Court approves the Round 5 Settlements and after any appeals from such approval are resolved and in accordance with the proposed Plan of Allocation to distribute the Round 5 Net Settlement Funds (*see* Question 12).

These cases are proceeding as class actions seeking monetary recovery for consumers and businesses in 30 states and the District of Columbia and, except Bosal, for nationwide injunctive relief to stop the Round 5 Settling Defendants’ alleged illegal behavior and prevent this behavior from happening in the future (*see* Question 15).

Purchasers or lessees of qualifying new vehicles or indirect purchasers of any of the qualifying replacement parts listed in Question 5 may be members of the Round 5 Settlement Classes entitled to monetary recovery.

Only those members of the Round 5 Settlement Classes who, during the relevant time periods listed above, purchased or leased a qualifying new vehicle or indirectly purchased a qualifying replacement part in or while (1) residing in or (2) as to businesses, having the principal place of business located in the District of Columbia or the states listed below will be entitled to share in the monetary recovery. Those states are: Arizona, Arkansas, California, Florida, Hawaii, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin. To qualify, vehicles and replacement parts must not have been purchased for resale.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## 8. WHO IS NOT INCLUDED IN THE ROUND 5 SETTLEMENT CLASSES?

The Round 5 Settlement Classes do not include

- any of the Defendants, their parent companies, subsidiaries, and affiliates;
- any co-conspirators;
- federal government entities and instrumentalities;
- states and their political subdivisions, agencies, and instrumentalities; and
- all persons who purchased their vehicle parts directly from the Defendants or for resale.

## THE ROUND 5 SETTLEMENTS' BENEFITS

## 9. WHAT DO THE ROUND 5 SETTLEMENTS PROVIDE?

The Round 5 Settlements totaling approximately \$3.152 million (“Settlement Amount”) are now being presented to the Court for final approval. After deducting attorneys’ fees, reimbursement of costs, and expenses, and notice and claims administration costs, as approved by the Court, the Round 5 Net Settlement Funds will be available for distribution to members of the Round 5 Settlement Classes who timely file valid claims.

The Round 5 Settlements also include non-monetary relief (*see* Question 15), including cooperation from the Settling Defendants as well as agreements by the Settling Defendants (except Bosal) not to engage in the conduct that is the subject of the lawsuits, as more fully described in the proposed Final Judgments that are available on the Settlement website [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

The Settlement Funds are allocated to the relevant vehicle component cases as follows:

Auto Parts Round 5 Settlements and Settlement Funds		
Automotive Parts Case	Round 5 Settling Defendant	Settlement Fund
Electronic Braking Systems	Bosch	\$2,113,887.78
Exhaust Systems	Bosal	\$150,000.00
Hydraulic Braking Systems	Bosch	\$128,112.22
	TRW	\$760,000.00
<b>Total</b>		<b>\$3,152,000.00</b>

Any interest earned will be added to each of the Settlement Funds. More details about the Round 5 Settlements are provided in the Round 5 Settlement Agreements, available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

## HOW TO GET BENEFITS

## 10. HOW DO I SUBMIT A CLAIM?

You may be entitled to a portion of the Settlement Funds when a distribution is made to members of the Settlement Classes. If you exclude yourself from the Round 5 Settlements, you will not receive a payment from those funds.

Claims may be submitted online at [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or by printing and mailing your completed form postmarked by **January 7, 2023** to:

Auto Parts Settlements  
P.O. Box 2017  
Portland, OR 97208-2017

You may also call 1-877-940-5043, write the Settlement Administrator at the address above, email [info@AutoPartsClass.com](mailto:info@AutoPartsClass.com), or visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com) to obtain a Claim Form and request assistance in filing a claim.

If you submit a Claim Form at the Settlement website, you may receive future notifications containing additional important information.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## **11. IF I FILED A CLAIM PREVIOUSLY, DO I NEED TO FILE A CLAIM TO GET A PAYMENT FROM THE ROUND 5 SETTLEMENTS?**

If you already submitted a Claim Form in the previous Settlements (Rounds 1 through 4), you do not need to file another claim to get a payment from the Round 5 Settlements for that specific vehicle or replacement part (as applicable). However, if you purchased additional qualifying new vehicles or indirectly purchased qualifying replacement parts that are included in the Round 5 Settlements and were not mentioned in your previous Claim Form, you should file a new Claim Form for these additional vehicles or replacement parts (*see* Question 10). To qualify, vehicles and replacement parts must not have been purchased for resale.

You are no longer able to submit a claim for payment from the Rounds 1 through 4 Settlements. The deadline to submit a claim in the previous Settlements has passed.

## **12. HOW MUCH MONEY CAN I GET?**

At this time, it is estimated that each member of the Round 5 Settlement Classes who submits a valid claim will receive a payment of at least \$100 from their claims across all Settlements (Rounds 1 through 5). The minimum payment is per claimant and not per vehicle. However, the actual amount of your recovery will be determined by the proposed Plan of Allocation, the terms of which are posted at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

The Court previously approved a revised Plan of Allocation to distribute the prior settlements minus attorneys' fees, reimbursement of costs and expenses, notice and claims administration costs ("Rounds 1 through 4 Net Settlement Fund," collectively with the Round 5 Net Settlement Fund, the "Net Settlement Funds") from the earlier settlements. However, Settlement Class Counsel are proposing that the Court also approve a substantially similar Plan of Allocation that will apply to the Round 5 Settlements.

Based on the proposed Plan of Allocation, the Settlement Administrator will calculate the amounts awarded to each Round 5 Settlement Class Member who files a valid claim. Below is a summary of how claims will be paid:

- Each claimant will be paid a minimum of \$100 from the Net Settlement Funds. A Settlement Class Member who has a claim in the Round 5 Settlements as well as the previous settlements (Rounds 1 through 4) will only receive one \$100 minimum payment covering all of the Settlement Class Member's claims.
- Claims that would be paid less than \$100 will be paid \$100.
- Claims that would be paid at least \$100 will be paid \$100 plus a pro rata (or proportional) share of the remaining applicable Round 5 Net Settlement Funds as determined separately for each automotive part (after paying all of the \$100 minimum payments).
- If the Net Settlement Funds are insufficient to allow a minimum payment of \$100 to each claimant, or if the Round 5 Net Settlement Funds are insufficient to allow a minimum payment of \$100 to each claimant who does not have a claim in the Rounds 1 through 4 Settlements, the amount to be paid to each claimant will be adjusted based on a pro rata basis.

The pro rata portion of the payment amount will be based on a ratio consisting of the claimant's total number of qualifying new vehicles purchased or leased or qualifying replacement parts indirectly purchased, and the total number of qualifying new vehicles purchased or leased and qualifying replacement parts indirectly purchased by other claimants. Claims based on qualifying new vehicles containing automotive parts that were allegedly specifically targeted by Defendants' alleged collusive conduct will receive more money.

Payments will be based on a number of factors, including at least the number of valid claims filed by all members of the Round 5 Settlement Class in question and the number of (1) qualifying new vehicles purchased or leased or (2) qualifying replacement parts indirectly purchased. To qualify, vehicles and replacement parts must not have been purchased for resale.

It is possible that any money remaining after claims are paid will be distributed to charities, governmental entities, or other beneficiaries approved by the Court. No matter how many claims are filed, no money will be returned to the Round 5 Settling Defendants after the Court finally approves the Round 5 Settlements.

In order to receive a payment from the Round 5 Settlements, you will need to file a valid Claim Form (*see* Question 10). If you already submitted a Claim Form, you do not need to file another claim for that specific vehicle or replacement part. However, if you purchased additional qualifying new vehicles or indirectly purchased qualifying replacement parts, which were not mentioned in your previous Claim Form, you should file a new Claim Form for these additional vehicles or replacement parts.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

### 13. WHEN WILL I GET A PAYMENT?

Payments may be distributed to members of the Round 5 Settlement Classes after: (1) the Court grants final approval to the Round 5 Settlements; (2) any appeals from such approvals are resolved (appeals can take several years to conclude); (3) the claims administration process is completed; and (4) the Court approves the allocation of the Round 5 Settlement Fund.

### 14. CAN I FILE A CLAIM IN THE PREVIOUS SETTLEMENTS IN THIS CASE?

No. You are no longer able to submit a claim for payment from the Settlements in Rounds 1 through 4. The deadline to submit a claim in the previous Settlements has passed.

### 15. WHAT IS THE NON-MONETARY RELIEF?

Except Bosal, the other Round 5 Settling Defendants agreed not to engage in certain specified conduct that would violate the antitrust laws that are at issue in these lawsuits for a period of two years. All of the Round 5 Settling Defendants cooperated with the Class representatives in the litigation.

## REMAINING IN THE CLASSES

### 16. WHAT HAPPENS IF I REMAIN IN THE SETTLEMENT CLASSES?

If the Round 5 Settlements become final, you will give up your right to sue these Settling Defendants on your own for the claims described in the Round 5 Settlement Agreements unless you exclude yourself from one or more of the Round 5 Settlement Classes. You also will be bound by any decisions by the Court relating to any Round 5 Settlements from which you do not exclude yourself.

In return for paying the Settlement Amount and providing the non-monetary benefits, the Round 5 Settling Defendants (and certain related entities defined in the Settlement Agreements) will be released from claims relating to the alleged conduct involving the vehicle parts identified in the Round 5 Settlement Agreements. The Round 5 Settlement Agreements describe the released claims in detail, so read them carefully since those releases will be binding on you if the Court approves these Settlements. If you have any questions, you can talk to Settlement Class Counsel listed in Question 21 for free, or you can, of course, talk to your own lawyer (at your own expense). The Round 5 Settlement Agreements and the specific releases are available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

## EXCLUDING YOURSELF FROM THE SETTLEMENT CLASSES

### 17. HOW DO I GET OUT OF THE ROUND 5 SETTLEMENT CLASSES?

To exclude yourself from one or more of the Round 5 Settlement Classes, you must send a letter by mail stating that you want to be excluded from *In re Automotive Parts Antitrust Litigation* and specifying from which Settlement Class or Classes (including the specific automotive part case) you wish to be excluded. You may only request to be excluded from the Settlement Classes for the Round 5 Settlements.

Your letter must also include:

- Your name, address, and telephone number;
- Documents reflecting your purchase or lease of a qualifying new vehicle and/or indirect purchase of the applicable qualifying replacement part (not for resale):
  - Purchase or lease documentation should include: (a) the date and place of purchase or lease, (b) the make, model, and model year of the new vehicle, and (c) the state where you resided when the qualifying new vehicle was purchased or leased, or as to businesses, the principal place of business when the qualifying new vehicle was purchased or leased;
  - Replacement part documentation should include: (a) the date and place of purchase, (b) type of qualifying replacement part purchased, and (c) the state where you resided when the qualifying replacement part was purchased, or as to businesses, the principal place of business when the qualifying replacement part was purchased; and
- Your signature.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

If you are seeking to exclude yourself from one or more of the Round 5 Settlement Classes, you are also requested (but not required) to state in your letter the number of qualifying new vehicles you purchased from January 1, 2002 to June 5, 2018.

Any request for exclusion must be mailed to the address immediately below, and must be **received** no later than **December 20, 2022**:

Automotive Parts Indirect Exclusions  
P.O. Box 2017  
Portland, OR 97208-2017

**18. IF I DON'T EXCLUDE MYSELF, CAN I SUE FOR THE SAME THING LATER?**

No. Unless you exclude yourself, you give up any right to sue the Round 5 Settling Defendants for the claims being released in this litigation.

**19. IF I EXCLUDE MYSELF, CAN I STILL GET MONEY BENEFITS?**

No. If you exclude yourself from the Settlement Classes in any of the Round 5 Settlements, you will not get any money as a result of the Settlement in that case. However, you may exclude yourself from one or more of the Settlement Classes for any of the Round 5 Settlements but remain in the Settlement Classes for other Round 5 Settlements. In that case, you may receive money from the Round 5 Settlements for the Settlement Classes in which you remain a Settlement Class member.

**20. CAN I EXCLUDE MYSELF FROM THE PREVIOUS SETTLEMENTS?**

No. If you did not timely request to be excluded from the Settlement Classes in Round 1 through Round 4, you may not request to be excluded from those Settlement Classes at this time.

**THE LAWYERS REPRESENTING YOU**

**21. DO I HAVE A LAWYER REPRESENTING ME?**

The Court has appointed the following law firms as Settlement Class Counsel to represent you and all other members of the Settlement Classes:

Adam Zapala Cotchett, Pitre, & McCarthy, LLP 840 Malcolm Road Burlingame, CA 94010	William V. Reiss Robins Kaplan LLP 1325 Avenue of the Americas Suite 2601 New York, NY 10019	Marc M. Seltzer Susman Godfrey L.L.P. 1900 Avenue of the Stars Suite 1400 Los Angeles, CA 90067
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You will not be charged for contacting these lawyers. If you want to be represented by your own lawyer, you may hire one at your own expense.

**22. HOW WILL THE LAWYERS BE PAID**

At a later date, Settlement Class Counsel will ask the Court for an award of attorneys' fees and reimbursement of costs and expenses for all of their services to be paid from the total Settlement Amounts established by the Rounds 1 through 5 Settlements, including any interest earned. The total amount of fees requested, combined with all fees previously awarded by the Court, will not exceed 30 percent of the total Settlement Amounts of all of the Rounds 1 through 5 Settlements, including any interest earned.

When it is filed with the Court, Settlement Class Counsel's application for fees, costs and expenses to be awarded will be made available on [www.AutoPartsClass.com](http://www.AutoPartsClass.com), and Settlement Class Members who provided their email addresses to the Claims Administrator will also receive an email. Otherwise, Rounds 1 through 5 Settlements Class Members will receive no further notice when this application is filed or the deadline to submit objections about this application.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## OBJECTING TO THE ROUND 5 SETTLEMENTS

### 23. HOW DO I OBJECT TO OR COMMENT ON THE ROUND 5 SETTLEMENTS?

If you have objections to or comments about any aspect of (a) one or more of the Round 5 Settlements, (b) the proposed Plan of Allocation as it applies to members of any of the Settlement Classes (in Round 5), or (c) the future motion by Settlement Class Counsel for attorneys' fees and reimbursement of costs and expenses as it applies to members of the Round 5 Settlement Classes, then you may express your views to the Court. You can only object to or comment on these matters if you do not exclude yourself from the applicable Settlement Class or Classes.

To object to or comment on a Round 5 Settlement or the proposed Plan of Allocation, or the future motion for attorneys' fees and reimbursement of costs and expenses, you must do so in writing. Your letter must specify which Settlement (including the specific vehicle part) you are objecting to and include the following in your objection letter:

- Your name, address, and telephone number;
- Documents reflecting your purchase or lease of a qualifying new vehicle and/or indirect purchase of the applicable qualifying replacement part (not for resale):
  - Purchase or lease documentation should include: (a) the date and place of purchase or lease, (b) the make and model year of the new vehicle, and (c) the state where you resided when the new vehicle was purchased or leased, or as to businesses, the principal place of business;
  - Replacement part documentation should include: (a) the date and place of purchase, (b) type of replacement part purchased, and (c) the state where you resided when the replacement part was purchased, or as to businesses, the principal place of business;
- The name of the Settling Defendant whose Settlement you are objecting to or commenting on;
- The vehicle part case, including the case name and case number, that is the subject of your objections or comments. (You can find the case numbers at [www.AutoPartsClass.com](http://www.AutoPartsClass.com). Go to the "Class Action Complaints" under the "Court Documents" tab to find the cases by part.);
- The reasons you object to the Settlement, proposed Plan of Allocation, and/or motion for attorneys' fees and reimbursement of costs and expenses, along with any supporting materials; and
- Your signature.

Any comment or objection to the Round 5 Settlements, proposed Plan of Allocation, or future motion for attorneys' fees and reimbursement of costs and expenses must be in writing, mailed to **both** of the addresses listed immediately below. Objections to the Round 5 Settlements or proposed Plan of Allocation must be received by both the Clerk of the Court and the Notice Administrator, no later than **December 20, 2022**. The addresses are:

Court	Notice Administrator
U.S. District Court for the Eastern District of Michigan Clerk of the Court Theodore Levin U.S. Courthouse 231 W. Lafayette Blvd., Room 599 Detroit, MI 48226	Auto Parts Settlements Objections P.O. Box 2017 Portland, OR 97208-2017

Any objection or comment to the Round 5 Settlements or proposed Plan of Allocation must also be timely filed with the Court (on or before December 20, 2022) in the case file (or docket) of the specific automotive parts case or cases that are the subject of your objection or comments (e.g., *In re Exhaust Systems*, No. 2:16-cv-03703). Objections or comments filed only in *In re Automotive Parts Antitrust Litigation* (the Master Docket, 2:12-md-02311) will not satisfy this requirement.

You will not have an opportunity to speak at the Court's Fairness Hearing (*see* Question 26) unless you first submit a complete, valid, and timely written objection and request the opportunity to speak at the Fairness Hearing.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**

## **24. CAN I OBJECT TO OR COMMENT ON THE PREVIOUS SETTLEMENTS?**

No. The deadline to object or comment on the previous Settlements (Rounds 1 through 4) has passed. The Court has given final approval to all of the previous Settlements.

## **25. WHAT IS THE DIFFERENCE BETWEEN EXCLUDING MYSELF FROM THE ROUND 5 SETTLEMENT CLASSES AND OBJECTING TO THE ROUND 5 SETTLEMENTS?**

If you exclude yourself from one or more of the Round 5 Settlement Classes, you are telling the Court that you do not want to participate in the Round 5 Settlement(s) from which you exclude yourself. Therefore, you will not be eligible to receive any payment from those Round 5 Settlement(s), and you will not be able to object to them. Objecting to a Round 5 Settlement simply means telling the Court that you do not like something about the Settlement. Objecting does not make you ineligible to receive a payment.

## **THE FINAL FAIRNESS HEARING**

The Court will hold a hearing to decide whether to approve the Round 5 Settlements and proposed Plan of Allocation. You may attend and you may ask to speak, but you do not have to do so.

## **26. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE ROUND 5 SETTLEMENTS?**

The Court will hold a virtual Final Fairness Hearing at 2:00 p.m. on January 12, 2023. More information regarding the hearing is available at the website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com), or by calling 1-877-940-5043. The hearing may also be moved to a different date or time without additional notice.

At this hearing, the Court will consider whether the Round 5 Settlements and the proposed Plan of Allocation are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. At or after the hearing, the Court will decide whether to approve the Round 5 Settlements.

## **27. DO I HAVE TO ATTEND THE HEARING?**

No. Settlement Class Counsel will answer any questions the Court may have. But you are welcome to attend at your expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you mailed your complete and valid written objection on time, as described above in Question 23, the Court will consider it. You may also hire your own lawyer at your own expense to attend on your behalf, but you are not required to do so.

## **28. MAY I SPEAK AT THE HEARING?**

If you send an objection or comment on the Round 5 Settlements or proposed Plan of Allocation, as described in Question 23, you may have the right to speak at the Final Fairness Hearing as determined by the Court. You cannot speak at the hearing if you do not submit a timely written objection or comment as described in Question 23. You cannot speak at the hearing if you exclude yourself from that specific Settlement Class.

## **GET MORE INFORMATION**

## **29. HOW DO I GET MORE INFORMATION?**

This Notice summarizes the Round 5 Settlements. More details are in the Round 5 Settlement Agreements. You can view or get copies of the Settlement Agreements and more information about all the Settlements at [www.AutoPartsClass.com](http://www.AutoPartsClass.com). In addition, the proposed Plan of Allocation is available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com). You also may write with questions to Auto Parts Settlements, P.O. Box 2017, Portland, OR 97208-2017, send an email to [info@AutoPartsClass.com](mailto:info@AutoPartsClass.com), or call the toll-free number, 1-877-940-5043. If you file a claim, you will be notified of any future information concerning these cases.

**Questions? Call 1-877-940-5043 or Visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com)**