

# If You Bought or Leased a New Vehicle or Bought Certain Replacement Parts for a Vehicle in the U.S. Since 1990

**You Could Receive \$100 or More From Settlements Totaling Over \$1.2 Billion**

**Claims Deadline Extended to June 18, 2020**

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

- Please read this Notice and the Settlement Agreements 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 8 below) have been settled with 73 Defendants and their affiliates ("Settling Defendants"). Previously, settlements with 56 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) received final Court approval. Now, additional settlements totaling approximately \$184 million have been reached with 17 Settling Defendants. These Settling Defendants are called the "Round 4 Settling Defendants," and the settlements with them are called the "Round 4 Settlements." This Notice will give you details of those proposed Round 4 Settlements and your rights in these lawsuits.
- Generally, you are included in the Settlement Classes for the Round 4 Settlements if, at any time between 1990 and 2019, 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 8 below, the Round 4 Settling Defendants have agreed to pay approximately \$184 million to be made available to members of the Settlement Classes who purchased or leased a qualifying new vehicle or purchased a qualifying vehicle replacement part in, or while residing 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. You may have seen a prior notice stating that members of the Settlement Classes may be entitled to monetary recovery only if they made the purchase or lease transaction while residing (or having their principal place of business) in the District of Columbia or one of the listed states. Please note that the prior information is replaced by this notice.
- With the exception of the Reorganized TK Holdings Trust ("TKH") and Delphi Technologies PLC and Delphi Powertrain Systems, LLC (together "Delphi"), the Round 4 Settlements also include provisions requiring the Round 4 Settling Defendants' cooperation in the ongoing litigations. With the exception of Toyoda Gosei and TKH, the Round 4 Settling Defendants have 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.

<b>Your Legal Rights and Options</b>		
<b>SUBMIT A CLAIM</b>	The only way to get a payment. You will be able to submit a claim for payment from the Settlements in Rounds 1 through 4 (as applicable). If you already filed a claim in the Round 1, 2, or 3 Settlements, you do not need to submit another claim for those vehicles or replacement parts. You should also submit a claim if you have additional vehicles or replacement parts to report.	June 18, 2020
<b>DO NOTHING</b>	You will be included in the Settlement Classes for the Round 4 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 the deadline, you will not receive a payment from the Settlements.	

- These rights and options – and the deadlines to exercise them – are explained in this Notice.
- The Court will consider granting final approval of the Round 4 Settlements on June 17, 2020. Please check the Settlement website, [www.AutoPartsClass.com](http://www.AutoPartsClass.com), for updates. Payments will only be made if the Court approves the Round 4 Settlements and the revised Plan of Allocation, and after any appeals are resolved.

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## BASIC INFORMATION

### 1. WHY IS THERE A NOTICE?

This Notice is to inform you about the Round 4 Settlements reached in some of the pending cases that are included in this litigation.

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 Round 1 Settlements, Round 2 Settlements, and Round 3 Settlements that were reached with 11, 12, and 33 Defendants, respectively. 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.

Round 4 Settlements have been reached with 17 Defendants, so that is why there is another Notice. This Notice explains the lawsuits, proposed Round 4 Settlements, the revised Plan of Allocation, and your legal rights, including the 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: Radiators*, and the affected product is radiators.) 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 4 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 4 SETTLING DEFENDANTS?

The Round 4 Settling Defendants are:

1. Brose SchlieBsysteme GmbH & Co. Kommanditgesellschaft and Brose North America (together, “Brose”),
2. Corning International Kabushiki Kaisha and Corning Incorporated (together, “Corning”),
3. Delphi Technologies PLC and Delphi Powertrain Systems, LLC (together, “Delphi”),
4. Green Tokai Co., LTD. (“Green Tokai”),
5. Keihin Corporation and Keihin North America, Inc. (together, “Keihin”),
6. KYB Corporation (f/k/a Kayaba Industry Co. Ltd) and KYB Americas Corporation (together, “KYB”),
7. Maruyasu Industries Co., Ltd. and Curtis Maruyasu America, Inc. (together, “Maruyasu”),
8. Meritor, Inc. f/k/a ArvinMeritor, Inc. (“ArvinMeritor”),
9. Mikuni Corporation (“Mikuni”),
10. Mitsubishi Heavy Industries America, Inc. and Mitsubishi Heavy Industries Climate Control, Inc. (collectively, “Mitsubishi”),
11. Panasonic Corporation and Panasonic Corporation of North America (together, “Panasonic”),<sup>1</sup>
12. Sanoh Industrial Co., Ltd. and Sanoh America, Inc. (collectively, “Sanoh”),

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<sup>1</sup> Previously, Panasonic settled lawsuits related to HID Ballasts, Switches, and Steering Angle Sensors.

13. Showa Corporation and American Showa, Inc. (collectively, “Showa”),
14. Reorganized TK Holdings Trust (“TKH”),
15. Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc. (together, “Tokai Rika”),<sup>2</sup>
16. Toyo Denso Co., Ltd. and Weastec, Inc. (together, “Toyo Denso”), and
17. Toyoda Gosei Co., Ltd.; Toyoda Gosei North America Corporation; TG Kentucky, LLC; TG Missouri Corp.; and TG Fluid Systems USA Corporation (collectively, “Toyoda Gosei”).

#### 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.

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,

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<sup>2</sup> Previously, Tokai Rika settled lawsuits related to Wire Harnesses.

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.

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 will consider granting final approval of the Round 4 Settlements on June 17, 2020.

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

#### 5. WHO ARE THE NON-SETTLING DEFENDANTS?

The only Non-Settling Defendants remaining are Bosal USA, Inc. and Bosal Industries-Georgia, Inc. (together “Bosal”) with respect to the sale of Exhaust Systems.

#### 6. WHAT VEHICLE PARTS ARE INCLUDED?

The Round 4 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 accessible on [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or can be obtained by calling 1-877-940-5043.

- **Air Conditioning Systems** are systems that cool the interior environment of a vehicle and are part of a vehicle’s thermal system. Air Conditioning Systems, whether sold together or separately, include one or more of the following: automotive compressors, condensers, HVAC units (typically consisting of a blower motor, actuators, flaps, evaporator, heater core, and filter embedded in a plastic housing), control panels, sensors, and associated hoses and pipes.
- **Automotive Brake Hoses** are flexible hoses that carry brake fluid through the hydraulic brake system of an automobile.
- **Automotive Constant-Velocity-Joint Boot Products** are composed of rubber or plastic and are used to cover the constant-velocity-joints of an automobile to protect the joints from contaminants.
- **Automotive Hoses** are flexible tubes used to convey liquid and air in vehicles. Automotive Hoses include low-pressure rubber hoses used in automobile engine compartments and plastic and resin tubes used in vehicle engine compartments and fuel tank modules.
- **Automotive Steel Tubes** are used in fuel distribution, braking, and other automotive systems. Automotive Steel Tubes are sometimes divided into two categories: chassis tubes and engine parts. Chassis tubes, such as brake and fuel tubes, tend to be located in the body of a vehicle. Engine parts, such as fuel injection rails, oil level tubes, and oil strainer tubes, are associated with the function of a vehicle’s engine.
- **Body Sealing Products** are automotive body sealing parts. They are typically made of rubber and trim the doors, hoods, and compartments of vehicles. Body Sealing Products keep noise, debris, rainwater, and wind from entering the vehicle and control vehicle vibration. In some instances, they also serve as a design element. Body Sealing Products include body-side opening seals, door-side weather-stripping, glass-run channels, trunk lids, and other rubber sealings.
- **Ceramic Substrates** are uncoated ceramic monoliths with fine honeycomb structures that, after coating with a mix of metal and other chemicals, are incorporated into automotive catalytic converters.
- **Exhaust Systems** are systems of piping and other parts that convey noxious exhaust gases away from the passenger compartment and reduces 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.

- **Electronic Powered Steering Assemblies** which are defined to include electric power steering motors, provide electric power to assist the driver to more easily steer the automobile. Electronic Powered Steering Assemblies link the steering wheel to the tires, and include the column, intermediate shaft, electronic control unit, but do not include the steering wheel or tires. “Pinion-Assist Type Electronic Powered Steering Assemblies” provide power to the steering gear pinion shaft from electric motors to assist the driver to more easily steer the automobile. Pinion-Assist Type Electronic Powered Steering Assemblies include an electronic control unit and link the steering wheel to the tires, but do not include the column, intermediate shaft, steering wheel or tires. Electronic Powered Steering Assemblies include Pinion-Assist Type Electronic Powered Steering Assemblies as well as all component parts of the assemblies, including the steering column, intermediate shaft, electronic control unit, and electric power steering motors (but not the steering wheel or tires).
- **Fuel Injection Systems** admit fuel or a fuel/air mixture into vehicle engine cylinders. Fuel Injection Systems can also be sold as part of a broader system, such as an engine management system, or as separate components. Fuel Injection Systems include one or more of the following parts: injectors, high pressure pumps, rail assemblies, feed lines, engine electronic control units, fuel pumps and fuel pump modules, manifold absolute pressure sensors, pressure regulators, pulsation dampers, purge control valves, air flow meters, and electronic throttle bodies.
- **Heater Control Panels** are either mechanical or electrical devices that control the temperature of the interior environment of a vehicle. Heater Control Panels can be either manual (referred to as low-grade) or automatic (referred to as high-grade) and are located in the center console, back seat, or rear cabin of an automobile.
- **Ignition Coils** release electric energy to ignite the fuel/air mixture in cylinders.
- **Interior Trim Products** are automotive plastic interior trim parts. They do not include the main bodies of instrument panels and typically consist of molded trim parts made from plastics, polymers, elastomers, and/or resins manufactured and/or sold for installation in automobile interiors, including console boxes, assist grips, registers, center cluster panels, glove boxes, and glove box doors, meter cluster hoods, switch hole covers, and lower panel covers and boxes.
- **Occupant Safety Systems** are comprised of the parts in an automotive vehicle that protect drivers and passengers from bodily harm. Occupant Safety Systems include one or more of the following: seat belts, air bags, steering wheels or steering systems, and safety electronic systems.
- **Power Window Switches** are switches that raise or lower a vehicle’s electric windows.
- **Side-Door Latches** secure an automotive door to a vehicle body and may be locked to prevent unauthorized access to a vehicle. Included in the Settlement are “Latch Minimodules,” which include the Door Latch and all of the related mechanical operating components, including the electric lock function.
- **Shock Absorbers** are part of the suspension system on automobiles. They absorb and dissipate energy to help cushion vehicles on uneven roads, leading to improved ride quality and vehicle handling. Shock Absorbers are also called “dampers.”
- **Steering Angle Sensors** detect the angle of the vehicle’s direction and send signals to a vehicle computer, which in turn controls the vehicle stability during turns. Steering Angle Sensors are installed on the steering column of a vehicle and may be connected to part of a combination switch.
- **Switches** include one or more of the following: steering wheel switch (installed in the steering wheel), used to control functions within the vehicle; turn switch (installed behind the steering wheel), used to signal a left or right turn and control hi/lo beam selection; wiper switch (installed behind the steering wheel), used to activate the vehicle’s windshield wipers; combination switch, a combination of the turn and wiper switches as one unit, sold

together as a pair; and door courtesy switch (installed in the door frame), which activates the light inside the vehicle when the door opens.

- **Valve Timing Control Devices** control the opening/closing timing of the intake valve and exhaustive valve according to driving conditions and are part of the engine management system of the automotive market. Valve Timing Control Devices may also be referred to as “variable valve timing” systems.

## 7. 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

### 8. HOW DO I KNOW IF I MAY BE INCLUDED IN THE ROUND 4 SETTLEMENT CLASSES?

Generally, you may be included in one or more of the Round 4 Settlement Classes if, at any time from 1990 to 2019, you: (1) bought or leased a qualifying new vehicle in the U.S. (not for resale), or (2) paid to replace one or more of the qualifying vehicle parts listed in Question 6 above (not for resale). In general, qualifying vehicles include new four-wheeled passenger automobiles, vans, sports utility vehicles, crossovers, and pickup trucks.

The specific definition of the vehicles, as well as the definition of who is included in the Round 4 Settlement Classes, is set forth in each Settlement Agreement. Each of those Settlement Agreements, and the related Complaints, are accessible at [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or can be obtained 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 1, Round 2, Round 3, or Round 4 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 purchase of a replacement part, calling 1-877-940-5043, or sending an email to [info@AutoPartsClass.com](mailto:info@AutoPartsClass.com).

A separate Settlement Class has been preliminarily approved by the Court in each of the following cases settled by the Round 4 Settling Defendants and their affiliates. The time period covered by the Round 4 Settlements for each of the Settlement Classes is provided below:

Defendant	Time Period Starts	Time Period Ends	Auto Part(s) Cases
Brose	January 1, 2004	June 14, 2018	Side-Door Latches
Corning	January 1, 1990	January 11, 2018	Ceramic Substrates
Delphi	January 1, 2000	June 21, 2019	Ignition Coils
Green Tokai	January 1, 2000	September 6, 2018	Body Sealing Products
Keihin	January 1, 2000	May 22, 2018	Fuel Injection Systems
KYB	January 1, 1995	November 6, 2018	Shock Absorbers



<b>Defendant</b>	<b>Time Period Starts</b>	<b>Time Period Ends</b>	<b>Auto Part(s) Cases</b>
Maruyasu	January 1, 2000	October 15, 2018	Fuel Injection Systems
	December 1, 2003	October 15, 2018	Automotive Steel Tubes
Meritor	January 1, 2002	June 5, 2018	Exhaust Systems
Mikuni	January 1, 2000	June 18, 2019	Fuel Injection Systems Valve Timing Control Devices
Mitsubishi	May 1, 1999	June 15, 2018	Air Conditioning Systems
Panasonic	May 1, 1999	March 11, 2019	Air Conditioning Systems
Sanoh	December 1, 2003	April 10, 2019	Automotive Steel Tubes
Showa	January 1, 2005	July 10, 2019	Electronic Powered Steering Assemblies
	January 1, 1995	July 10, 2019	Shock Absorbers
TKH	January 1, 2003	November 27, 2018	Occupant Safety Systems
Tokai Rika	January 1, 2000	March 23, 2018	Heater Control Panels
	January 1, 2003	March 23, 2018	Occupant Safety Systems
	September 1, 2003	March 23, 2018	Steering Angle Sensors
	September 1, 2003	March 23, 2018	Switches
Toyo Denso	January 1, 2000	April 30, 2018	Ignition Coils
	January 1, 2003	April 30, 2018	Power Window Switches
Toyoda Gosei	February 1, 2004	July 20, 2018	Automotive Brake Hoses
	May 1, 2003	July 20, 2018	Automotive Hoses
	January 1, 2000	July 20, 2018	Body Sealing Products
	January 1, 2006	July 20, 2018	Automotive Constant-Velocity-Joint Boot Products
	June 1, 2004	July 20, 2018	Interior Trim Products
	January 1, 2003	July 20, 2018	Occupant Safety Systems

Payments to members of the Settlement Classes only will be made if the Court approves the Round 4 Settlements and after any appeals from such approval are resolved and in accordance with the proposed revised Plan of Allocation to distribute the Net Settlement Funds (*see* Question 13).

These cases are proceeding as class actions seeking monetary recovery for consumers and businesses in 30 states and the District of Columbia and for nationwide injunctive relief to stop the 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 replacement parts listed in Question 6 may be members of the Settlement Classes entitled to monetary recovery. Only those members of the Settlement Classes who, during the relevant time periods listed above, purchased or leased a vehicle or purchased a 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. You may have seen a prior notice that indicated that members of the Settlement Classes may be entitled to monetary recovery only if they made the purchase or lease transaction while residing (or having their principal place of business) in the District of Columbia or one of the listed states. Please note that the prior information is superseded by this notice.

#### **9. WHO IS NOT INCLUDED IN THE SETTLEMENT CLASSES?**

The 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.

#### **10. WHY ARE THE LAWSUITS CONTINUING IF THERE ARE SETTLEMENTS?**

The Round 4 Settlements have been reached with the Round 4 Settling Defendants (listed in Question 3) as specified in the individual Settlement Agreements. The lawsuits will continue against the defendants who have not settled ("Non-Settling Defendants").

Additional money may become available in the future as a result of a trial or future Settlements. Alternatively, the litigation may be resolved in favor of the Non-Settling Defendants, and no additional money may become available. There is no guarantee as to what will happen.

Please visit [www.AutoPartsClass.com](http://www.AutoPartsClass.com) for more information or to file a claim.

### **THE ROUND 4 SETTLEMENTS' BENEFITS**

#### **11. WHAT DO THE ROUND 4 SETTLEMENTS PROVIDE?**

The Round 4 Settlements totaling approximately \$184 million are now being presented to the Court for approval. The Court has already approved the Round 1 Settlements, totaling approximately \$225 million; the Round 2 Settlements, totaling approximately \$379 million; and the Round 3 Settlements, totaling approximately \$433 million. Together, the Round 1 through 4 Settlement Funds total approximately \$1.2 billion. After deduction of attorneys' fees, incentive awards, notice and claims administration costs, and litigation expenses, as approved by

the Court, the Net Settlement Funds will be available for distribution to members of the Settlement Classes who timely file valid claims.

The Round 4 Settlements also include non-monetary relief (*see* Question 15), including cooperation from the Settling Defendants (with the exception of TKH and Delphi) as well as agreements by these Settling Defendants (with the exception of Toyoda Gosei and TKH) 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:

<b>Auto Parts Round 4 Settlements and Settlement Funds</b>		
<b>Automotive Parts Case</b>	<b>Round 4 Settling Defendant</b>	<b>Settlement Fund</b>
Air Conditioning Systems	Mitsubishi Heavy	\$6,840,000.00
	Panasonic	\$760,000.00
Automotive Brake Hoses	Toyoda Gosei	\$659,456.20
Automotive Hoses	Toyoda Gosei	\$5,428,166.52
Body Sealing Products	Green Tokai	\$950,000.00
	Toyoda Gosei	\$27,148,653.36
Ceramic Substrates	Corning	\$26,600,000.00
Automotive Constant-Velocity-Joint Boot Products	Toyoda Gosei	\$716,505.10
Electronic Powered Steering Assemblies	Showa	\$4,133,735.39
Exhaust Systems	ArvinMeritor	\$760,000.00
Fuel Injection Systems	Keihin	\$836,000.00
	Maruyasu	\$108,699.85
	Mikuni	\$2,675,200.00
Heater Control Panels	Tokai Rika	\$1,366,578.08
Ignition Coils	Delphi	\$760,000.00
	Toyo Denso	\$760,000.00
Interior Trim Products	Toyoda Gosei	\$5,089,493.68
Side-Door Latches	Brose	\$2,280,000.00

## Auto Parts Round 4 Settlements and Settlement Funds

Automotive Parts Case	Round 4 Settling Defendant	Settlement Fund
Occupant Safety Systems	TKH	\$53,200,000.00 <sup>3</sup>
	Tokai Rika	\$28,745,447.27
	Toyoda Gosei	\$5,797,725.14
Power Window Switches	Toyo Denso	\$4,408,000.00
Shock Absorbers	KYB	\$28,880,000.00
	Showa	\$9,926,264.61
Automotive Steel Tubes	Maruyasu	\$5,211,300.15
	Sanoh	\$8,360,000.00
Steering Angle Sensors	Tokai Rika	\$677,714.01
Switches	Tokai Rika	\$3,410,260.64
Valve Timing Control Devices	Mikuni	\$668,800.00
<b>Total (excluding TKH)</b>		<b>\$183,958,000.00</b>

Any interest earned will be added to each of the Settlement Funds. More details about the Round 4 Settlements are provided in the Round 4 Settlement Agreements, available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

### HOW TO GET BENEFITS

#### 12. 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 excluded or exclude yourself from any of the Settlement Classes in the Round 1 through Round 4 Settlements, you will not receive a payment from those funds.

However, you will be required to submit a Claim Form to be eligible to receive a payment from any of the Settlement Funds. Claims may be submitted online at [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or by printing and mailing your completed form postmarked by **June 18, 2020** to:

Auto Parts Settlements  
P.O. Box 10163  
Dublin, OH 43017-3163

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 to request assistance in filing a claim.

<sup>3</sup> Class Members have a \$53,200,000 authorized claim against TKH in bankruptcy proceeding, but they can expect to receive only a small fraction of this amount for distribution to the Class. For this reason, the authorized claim amount is not included in the total settlement amount listed above. The Class representatives have also reached a settlement with Takata Corp. in Japanese insolvency proceedings. The settlement provides for a payment of 25,000,000 Japanese Yen (equivalent to approximately \$220,000). This settlement as a formal matter is with the Class representatives only, but the proceeds of the settlement will be paid to the same group of purchasers included in the Settlement Class agreed to based on the settlement agreement with Takata Corp.'s U.S. subsidiary, TKH.

You need to submit satisfactory evidence (e.g. purchase records) for vehicles you purchased or leased, or replacement parts you purchased, if you seek to share in the monetary recovery provided by a settlement based on the place of purchase or lease.

If you submit a Claim Form at the Settlement website, you will receive future notifications containing additional important information, including information about any future settlements.

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

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

The Court previously approved a Plan of Allocation to distribute the Net Settlement Funds from the earlier settlements. However, Settlement Class Counsel is proposing that the Court approve a revised Plan of Allocation that will apply to all the Settlements from Round 1 through Round 4.

The Settlement Administrator will calculate in accordance with the proposed revised Plan of Allocation the amounts awarded to each 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.
- Claims exceeding \$100 will be paid \$100 plus a pro rata (or proportional) share of the remaining applicable 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, 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 vehicles purchased or leased or replacement parts purchased, and the total number of vehicles purchased or leased and replacement parts purchased by other claimants. Claims based on 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 Settlement Class in question and the number of (1) qualifying new vehicles purchased or leased or (2) qualifying replacement parts purchased. 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 Settling Defendants after the Court finally approves the Round 4 Settlements.

In order to receive a payment from any of the Settlements (Round 1 through Round 4), you will need to file a valid Claim Form (*see* Question 12). 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 vehicles or replacement parts, which were not mentioned in your previous Claim Form, you should file a new Claim Form for the additional vehicles or replacement parts.

### **14. WHEN WILL I GET A PAYMENT?**

Payments may be distributed to members of the Settlement Classes after: (1) the Court grants final approval to the Round 4 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 Net Settlement Funds.

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

With the exception of Toyoda Gosei and TKH, the Round 4 Settling Defendants have 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. Additionally, all of the Round 4 Settling Defendants except TKH and Delphi will cooperate with the Class representatives in their ongoing litigation against the Non-Settling Defendants.

**REMAINING IN THE CLASSES**

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

If the Round 4 Settlements become final, you will give up your right to sue these Settling Defendants on your own for the claims described in the Settlement Agreements unless you excluded yourself from one or more of the Settlement Classes. You also will be bound by any decisions by the Court relating to any Round 4 Settlements from which you did not exclude yourself.

In return for paying the Settlement amounts and providing the non-monetary benefits, the Round 4 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 Settlement Agreements. The Round 4 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 Class Counsel listed in Question 18 for free, or you can, of course, talk to your own lawyer (at your own expense). The Round 4 Settlement Agreements and the specific releases are available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

**17. HOW DO I GET OUT OF THE SETTLEMENT CLASSES?**

The deadline to request exclusion from the Round 4 Settlements has passed. If your request was not received by or on **November 19, 2019**, you can no longer request to be excluded.

**THE LAWYERS REPRESENTING YOU**

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

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

Adam Zapala Cotchett, Pitre, & McCarthy, LLP 840 Malcolm Road Burlingame, CA 94010	Hollis Salzman Robins Kaplan LLP 399 Park Avenue Suite 3600 New York, NY 10022	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.

## 19. HOW WILL THE LAWYERS BE PAID?

At the Final Fairness Hearing, Class Counsel may ask the Court (a) to award incentive awards to named Plaintiffs, (b) to reimburse Class Counsel for certain costs and expenses, and (c) for attorneys' fees based on their services in this litigation, not to exceed 22% of the approximately \$184 million in additional Settlement Funds resulting from the Round 4 Settlements after deducting reimbursable litigation costs, incentive awards, and expenses. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the requested amount. The attorneys' fees, costs, incentive awards, and litigation expenses that the Court orders, plus the costs to administer the Round 4 Settlements, will come out of the Settlement Funds. Class Counsel may seek additional attorneys' fees, costs, and expenses from any additional Settlements or recoveries obtained in the future.

Class Counsel's motion for fees, costs, and expenses is available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com).

## OBJECTING TO THE ROUND 4 SETTLEMENTS

### 20. HOW DO I OBJECT TO OR COMMENT ON THE ROUND 4 SETTLEMENTS?

The deadline to object to (a) one or more of the Round 4 Settlements, (b) the revised Plan of Allocation as it applies to members of any of the Settlement Classes (in Rounds 1 through 4), or (c) the motion by Class Counsel for attorneys' fees, costs, and incentive awards as it applies to members of the Round 4 Settlement Classes has passed. If your objection or comment letter was not received by or on **November 19, 2019**, you can no longer object.

You will not have an opportunity to speak at the Court's hearing unless you submitted a complete, valid, and timely written objection and requested the opportunity to speak at the Fairness Hearing.

## THE FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Plan of Allocation, Round 4 Settlements and any requests by Settlement Class Counsel for fees, costs, expenses, and Class representative incentive awards. You may attend, but you do not have to do so. The Court may hold another hearing on the Plan of Allocation without additional notice, so check [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or call 1-877-940-5043 for current information.

### 21. WHEN AND WHERE WILL THE COURT DECIDE WHETHER TO APPROVE THE ROUND 4 SETTLEMENTS?

The Court will hold a Final Fairness Hearing at **4:00 p.m.** on **June 17, 2020**, at the United States Courthouse, 231 W. Lafayette Blvd, Detroit, MI 48226, Room 250. The hearing may be moved to a different date or time without additional notice, so check [www.AutoPartsClass.com](http://www.AutoPartsClass.com) or call 1-877-940-5043 for current information. At this hearing, the Court will consider whether the Round 4 Settlements and the revised 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. The Court may also decide how much to pay Class Counsel. At or after the hearing, the Court will decide whether to approve the Round 4 Settlements.

### 22. DO I HAVE TO ATTEND THE HEARING?

No. Class Counsel will answer any questions the Court may have. But you are welcome to attend at your expense. If you sent 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, 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.

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

If you sent an objection or comment on the Round 4 Settlements, revised Plan of Allocation, or motion for attorney's fees, costs, and incentive awards, 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 did not submit a timely written objection or comment. You cannot speak at the hearing if you excluded yourself from that specific Settlement Class.

## **THE TRIALS**

### **24. WHEN AND WHERE WILL THE TRIALS AGAINST THE NON-SETTLING DEFENDANTS TAKE PLACE?**

If the remaining case is not dismissed or settled, the Plaintiffs will have to prove their claims against the Non-Settling Defendants at trial. Trial dates and locations have not yet been set.

At the trial, a decision will be reached about whether the Plaintiffs or the Non-Settling Defendants are right about the claims in the lawsuits. There is no guarantee that the Plaintiffs will win any money or other benefits for members of the Classes at trial.

### **25. WHAT ARE THE PLAINTIFFS ASKING FOR FROM THE NON-SETTLING DEFENDANTS?**

The Class representatives are asking for money for members of the Settlement Classes in the District of Columbia and 30 states listed in Question 8 above from Non-Settling Defendants. The Class representatives are also seeking a nationwide court order to prohibit the Non-Settling Defendants from engaging in the alleged behavior that is the subject of the lawsuits.

### **26. WILL I GET MONEY AFTER THE TRIALS?**

If the Plaintiffs obtain money or benefits as a result of a trial or settlement with the Non-Settling Defendants, then members of the classes in question will be notified about how to ask for a share or what their other options are at that time. That information will be available at [www.AutoPartsClass.com](http://www.AutoPartsClass.com). With the approval of the Court, notice of any subsequent settlements and related matters may be given only on the website. These things are not known right now.

## **GET MORE INFORMATION**

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

This Notice summarizes the Round 4 Settlements. More details are in the Round 4 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 full proposed revised 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 10163, Dublin, OH 43017-3163, 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 settlements and other information concerning these cases.