

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

IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION	:	CASE NO. 12-MD-02311
	:	HON. MARIANNE O BATTANI
	:	
In Re: FUEL INJECTION SYSTEMS	:	Case No. 2:13-cv-02201-MOB-MKM
	:	
THIS RELATES TO:	:	Case No. 2:15-cv-11827-MOB-MKM
	:	
ALL DIRECT PURCHASER ACTIONS	:	Case No. 2:15-cv-13423-MOB-MKM
	:	

**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION OF NOTICE OF
PROPOSED SETTLEMENTS WITH THE MITSUBISHI ELECTRIC, HIAMS,
MITSUBA, AND DENSO DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court's Order dated June 6, 2019 (2:13-cv-2201, ECF No. 102) (the “Notice Order”), and Settlement Class members’ response to the notice program. As described more fully below, notice was mailed to 1,090 potential Settlement Class members and published in accordance with the Notice Order. No objections were filed to any of the proposed settlements, or to Settlement Class Counsel’s request for an award of attorneys’ fees and reimbursement of litigation costs and expenses. 11 requests for exclusion from one or more of the settlements were submitted. None of the proposed settlements are subject to rescission as a result of the requests for exclusion.

Settlement Class Counsel respectfully submit that the complete absence of objections and the small number of opt-outs militates strongly in favor of approval of the proposed settlements, and the requests for attorneys’ fees and litigation costs and expenses.

I. DISSEMINATION OF NOTICE TO THE CLASSES

Pursuant to the Court’s Notice Order, on June 27, 2019 Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the Notice and Claims Administrator retained by Direct Purchaser Plaintiff, mailed 1,090 copies of the Notice of Proposed Settlements of Direct Purchaser Class Action with the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Defendants and Hearing on Settlement Approval and Related Matters (the “Notice”), to potential Settlement Class members by first class mail, postage prepaid. Declaration of Angie Birdsell, Project Manager for Epiq. Exhibit 1 at ¶ 6. Epiq also re-mailed returned notices for which updated addresses were obtained. *Id.* at ¶ 7. In addition, a copy of the Notice was (and remains) posted online at www.AutoPartsAntitrustLitigation.com/FIS, a website dedicated to this litigation. *Id.* at ¶ 9.

Also in accordance with the Notice Order, the Summary Notice of Proposed Settlements of Direct Purchaser Class Action with MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Defendants and Hearing on Settlement Approval and Related Matters (the “Summary Notice”) was published in *Automotive News* on July 1, 2019. *Id.* at ¶ 8. Additionally, an online banner notice appeared for a 21 day period on www.AutoNews.com, the digital version of *Automotive News*, and an Informational Press Release was issued nationwide on July 1, 2019 via PR Newswire’s “Auto Wire,” which targets auto industry trade publications. *Id.*

Notice to the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Settlement Classes under Fed. R. Civ. P. 23 has, therefore, been provided as ordered by the Court.

II. ABSENCE OF OBJECTIONS TO THE PROPOSED SETTLEMENTS AND REQUEST FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES

The Notice advised that any objection to the proposed settlements or to Settlement Class Counsel's requests for an award of attorneys' fees and reimbursement of litigation costs and expenses had to be filed with the Clerk by August 16, 2019, with copies mailed to Settlement Class Counsel and to counsel for the Settling Defendants.

As of the date of the filing of this Report, no objection to any of the proposed settlements or to the request for an award of attorneys' fees and costs and expenses has been filed with the Court or received by Settlement Class Counsel.

III. REQUESTS FOR EXCLUSION

The Notice further advised that requests for exclusion from any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Settlement Classes had to be mailed to Settlement Class Counsel and to counsel for the Settling Defendants, postmarked no later than August 16, 2019. As of this date, Settlement Class Counsel have received 11 requests for exclusion from one or more of the proposed settlements.¹ None of the proposed settlements are subject to rescission as a result of the requests for exclusion.

Settlement Class Counsel respectfully submit that, for the reasons set forth in the Memorandum in Support of Direct Purchaser Plaintiff's Motion for Final Approval of Proposed Settlements with the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Defendants (the

¹ Settlement Class Counsel received 11 requests for exclusion from the DENSO Settlement Class, 4 requests for exclusion from the HIAMS Settlement Class, 7 requests for exclusion from the MITSUBISHI ELECTRIC Settlement Class, and 5 requests for exclusion from the MITSUBA Settlement Class. The entities that requested exclusion are identified in Exhibit 2 and the Settlement

“Final Approval Brief”) (2:13-cv-02201, ECF No. 108), each of the proposed settlements, is fair, reasonable and adequate under the relevant criteria, and warrants final approval.

IV. THE REACTION OF MEMBERS OF THE SETTLEMENT CLASSES SUPPORTS APPROVAL OF THE PROPOSED SETTLEMENTS AND THE REQUEST FOR AN AWARD OF FEES AND EXPENSES

The reaction of the class has been recognized repeatedly by courts within this Circuit and elsewhere as a factor in evaluating the fairness, reasonableness, and adequacy of a proposed Settlement, and related matters. *See, e.g., Sheick v. Auto. Component Carrier LLC*, No. 2:09-cv-14429, 2010 WL 4136958, at *22 (E.D. Mich. Oct. 18, 2010) (“scarcity of objections – relative to the number of class members overall – indicates broad support for the settlement among Class Members.”); *In re Cardizem CD Antitrust Litig.*, 218 F.R.D. 508, 527 (E.D. Mich. 2003) (“That the overwhelming majority of class members have elected to remain in the Settlement Class, without objection, constitutes the ‘reaction of the class,’ as a whole, and demonstrates that the Settlement is ‘fair, reasonable, and adequate.’”); *In re Delphi Corp. Sec., Deriv. & “ERISA” Litig.*, 248 F.R.D. 483, 499 (E.D. Mich. 2008) (small number of opt-outs or objections is indicative of the adequacy of the settlement).

Individual notice was mailed to 1,090 potential Settlement Class members identified by Defendants, and a copy of the Notice was (and remains) posted on-line at www.AutoPartsAntitrustLitigation.com/FIS. The Summary Notice was published in *Automotive News* on July 1, 2019, and on that same day an Informational Press Release was issued nationwide via PR Newswire’s “Auto Wire.” Additionally, an online banner notice appeared over a 21-day

Classes from which they opted out are set forth in Exhibit 3.

period on www.AutoNews.com, the digital version of *Automotive News*. The low number of opt-outs and total absence of objections militates strongly in favor of approval of the proposed settlements and the request for attorneys' fees and reimbursement of litigation costs and expenses.

V. REQUEST FOR AN AWARD OF ATTORNEYS' FEES

As of June 30, 2019, Plaintiff's Counsel's lodestar, based upon historical rates, was \$2,393,029. Direct Purchaser Plaintiff's Memorandum in Support of its Motion for an Award of Attorney's Fees and Litigation Costs and Expenses, at 8 (the "Fee Brief") (2:13-cv-02201, ECF No. 109). Since that date, Plaintiff's Counsel have continued their efforts on behalf of the Settlement Classes by, among other things, drafting the final settlement approval submissions and overseeing the dissemination of notice to members of the Settlement Classes in accordance with the Notice Order. As a result of this continued effort, as of August 31, 2019, Plaintiff's Counsel's combined lodestar was \$ 2,537,230.75. Were the Court to award a fee of 30% of the combined MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO settlement proceeds of \$10,110,449, less litigation costs and expenses in the amount of \$52,508.06, the multiplier on the more current lodestar would be approximately 1.19.

VI. CONCLUSION

Based upon the foregoing, and for the reasons set forth in the Final Approval Brief and the Fee Brief, it is respectfully requested that the Court grant final approval of the proposed settlements and the request for attorneys' fees and reimbursement of litigation costs and expenses.

DATED: September 20, 2019

Respectfully submitted,

/s/David H. Fink
David H. Fink (P28235)

Darryl Bressack (P67820)
Nathan J. Fink (P75185)
FINK BRESSACK
38500 Woodward Ave, Suite 350
Bloomfield Hills, MI 48304
Telephone: (248) 971-2500

Interim Liaison Counsel

Steven A. Kanner
William H. London
Michael E. Moskovitz
FREED KANNER LONDON
& MILLEN LLC
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Telephone: (224) 632-4500

Joseph C. Kohn
William E. Hoese
Douglas A. Abrahams
KOHN, SWIFT & GRAF, P.C.
1600 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 238-1700

Gregory P. Hansel
Randall B. Weill
Michael S. Smith
PRETI, FLAHERTY, BELIVEAU
& PACHIOS LLP
One City Center, P.O. Box 9546
Portland, ME 04112-9546
Telephone: (207) 791-3000

Eugene A. Spector
William G. Caldes
Jeffrey L. Spector
SPECTOR ROSEMAN & KODROFF, P.C.
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496-0300

Interim Co-Lead Class Counsel and Settlement Class Co-Lead Counsel

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2019, I electronically filed the foregoing paper with the Clerk of the court using the ECF system which will send notification of such filing to all counsel of record registered for electronic filing.

By: /s/Nathan J. Fink
David H. Fink (P28235)
Darryl Bressack (P67820)
Nathan J. Fink (P75185)
FINK BRESSACK
38500 Woodward Ave; Suite 350
Bloomfield Hills, MI 48304
Telephone: (248) 971-2500
nfink@finkbressack.com

EXHIBIT 1

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

_____	:	
IN RE: AUTOMOTIVE PARTS	:	12-MD-02311
ANTITRUST LITIGATION	:	Honorable Marianne O. Battani
_____	:	
IN RE: FUEL INJECTION SYSTEMS	:	
_____	:	
THIS RELATES TO:	:	2:13-CV-002201-MOB-MKM
ALL DIRECT PURCHASER CASES	:	2:15-CV-11827-MOB-MKM
_____	:	2:15-CV-13423-MOB-MKM

**DECLARATION OF ANGIE BIRDSSELL RE DISSEMINATION OF NOTICE TO THE
DIRECT PURCHASER MITSUBISHI ELECTRIC, HIAMS, MITSUBA, AND DENSO
SETTLEMENT CLASSES**

I, Angie Birdsell, hereby declare as follows:

1. I am a Project Manager for Epiq Class Action & Claims Solutions, Inc. ("Epiq"), the Settlement Administrator in the above-captioned case. I am familiar with the actions taken by Epiq with respect to the proposed settlements reached in this case between the Direct Purchaser Plaintiffs and the MITSUBISHI ELECTRIC, Hitachi Automotive Systems (HIAMS), MITSUBA, and DENSO Defendants, as well as the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided by Defendants' counsel, Plaintiffs' counsel, and employees and staff under my supervision and is accurate and truthful to the best of my knowledge.

2. Epiq was established in 1968 as a client services and data processing company. Epiq has been administering bankruptcies since 1985 and settlements since 1993, including settlements of class actions, mass tort litigations, Securities and Exchange Commission

enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation.

3. Epiq has administered more than 1,000 settlements, including some of the largest and most complex cases ever settled. Epiq's class action case administration services include: coordination of all notice requirements; design of direct-mail notices; establishment and implementation of notice fulfillment services; coordination with the United States Postal Service ("USPS"); notice website development and maintenance; dedicated telephone lines with recorded information and/or telephone agents; receipt and processing of opt-outs; claims database management; claim adjudication; funds management; and award calculations and distribution services. Epiq works with the settling parties, the Court, and the Class Members in a neutral facilitation role to implement settlement administration services based on the negotiated terms of a settlement.

OVERVIEW OF EPIQ'S RESPONSIBILITIES AS THE SETTLEMENT

ADMINISTRATOR

4. Epiq's responsibilities included the following:
 - a. Printing the Court-approved Direct Purchaser Class Notice ("Notice") to be sent to putative Class Members;
 - b. Searching the National Change of Address ("NCOA") database for updated addresses, if any, for putative Class Members;
 - c. Mailing the Notice by USPS First-class mail to putative Class Members;
 - d. Causing the Summary Publication Notice to be placed in one edition of *Automotive News*, accompanied by an online banner ad that ran for 21 days on www.AutoNews.com;

- e. Issuing an informational press release via *PR Newswire*;
- f. Maintaining a toll-free telephone number with customer service telephone agents and an option to request a call back if reached during non-business hours;
- g. Maintaining an informational website that provides the public access to pertinent documents and settlement information.

CLASS NOTICE

5. In preparation for mailing the Notice, Epiq received lists of potential Settlement Class members from Settlement Class Counsel. Epiq then submitted the names and addresses of those potential Class Members to cross-reference with the NCOA database for updated address information. By eliminating duplicate records and invalid mailing addresses, Epiq refined the database to include 1,090 names and addresses of potential Class Members.

6. On June 27, 2019, Epiq mailed the Notices by first class mail, postage prepaid, to the 1,090 potential Class Members. A copy of the Notice is attached hereto as Exhibit A.

7. As of September 13, 2019, Epiq has received a total of 196 Notices returned by the U.S. Postal Service as undeliverable and has remailed 57 Notices to those records. As of September 13, 2019, there are 139 records that remain undeliverable.

PUBLICATION NOTICE

8. Epiq caused the publication of the Summary Publication Notice in one edition of *Automotive News* on July 1, 2019, which was accompanied by an online banner ad that ran for a 21-day period on *www.AutoNews.com*, the digital version of *Automotive News*. An Informational Press Release was issued via PR Newswire's "Auto Wire" on July 1, 2019. Confirmation of the publication and copies of the Summary Publication Notice as it appeared in *Automotive News*, the

banner ad from *www.AutoNews.com*, and the Informational Notice are attached hereto as Exhibit B.

SETTLEMENT WEBSITE

9. On June 27, 2019, Epiq updated portions of the public settlement website to provide Direct Purchase Class Members with information related to the proposed settlements. The domain name for the website is *www.AutoPartsAntitrustLitigation.com/FIS*. The website provides general case information and links to important documents, including the Settlement Agreements, the Notice, and other documents related to the settlements.

10. As of September 13, 2019, there have been 485 page views and 212 unique visitors to the settlement website.

REQUESTS FOR EXCLUSION

11. Class Members could request exclusion from the Settlement Classes, so long as they did so by submitting a request in writing that was postmarked by August 16, 2019. As of September 13, 2019, Epiq has received 11 requests for exclusion from the DENSO Settlement Class, 4 requests for exclusion from the HIAMS Settlement Class, 7 requests for exclusion from the MITSUBISHI ELECTRIC Settlement Class, and 5 requests for exclusion from the MITSUBA Settlement Class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 16th day of September, 2019 in Beaverton, Oregon.



Angie Birdsell
Project Manager, Client Services | Epiq

EXHIBIT A

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

IN RE AUTOMOTIVE PARTS ANTITRUST LITIGATION
In Re: FUEL INJECTION SYSTEMS
THIS RELATES TO:
ALL DIRECT PURCHASER ACTIONS

CASE NO. 12-MD-02311

HON. MARIANNE O. BATTANI

Case No. 2:13-cv-02201-MOB-MKM

Case No. 2:15-cv-11827-MOB-MKM

Case No. 2:15-cv-13423-MOB-MKM

NOTICE

NOTICE OF PROPOSED SETTLEMENTS OF DIRECT PURCHASER CLASS ACTION WITH MITSUBISHI ELECTRIC, HIAMS, MITSUBA AND DENSO DEFENDANTS, AND HEARING ON:

- (1) APPROVAL OF PROPOSED SETTLEMENTS; AND**
- (2) MOTION OF SETTLEMENT CLASS COUNSEL FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION COSTS AND EXPENSES**

TO: ALL INDIVIDUALS AND ENTITIES THAT PURCHASED FUEL INJECTION SYSTEMS IN THE UNITED STATES DIRECTLY FROM DEFENDANTS (OR THEIR SUBSIDIARIES, AFFILIATES OR JOINT VENTURES) FROM JANUARY 1, 2000 THROUGH MARCH 12, 2018.

PLEASE READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS MAY BE AFFECTED BY LITIGATION NOW PENDING IN THIS COURT.

WHAT IS THE PURPOSE OF THIS NOTICE AND WHY WAS IT SENT TO ME?

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Eastern District of Michigan, Southern Division (the "Court"). The purpose of this Notice is to inform you of a hearing before the Court to consider:

- (1) Proposed settlements with (a) Defendants Mitsubishi Electric Corporation, Mitsubishi Electric US Holdings, Inc., and Mitsubishi Electric Automotive America, Inc. (collectively, the "MITSUBISHI ELECTRIC Defendants"); (b) Defendant Hitachi Automotive Systems, Ltd. ("HIAMS") for HIAMS, Hitachi, Ltd. and Hitachi Automotive Systems Americas, Inc (collectively "HIAMS Defendants"); (c) Defendants MITSUBA Corporation and American Mitsuba Corporation (collectively, the "MITSUBA Defendants"); and (d) Defendants DENSO Corporation, DENSO International America, Inc., DENSO Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation), DENSO Automotive Deutschland GmbH, DENSO Products and Services Americas, Inc. (f/k/a DENSO Sales California, Inc.), ASMO Co., Ltd., ASMO North America, LLC, ASMO Greenville of North Carolina, Inc., and ASMO Manufacturing, Inc. (collectively, the "DENSO Defendants") (all Defendants referenced in this paragraph are collectively referred to as the "Settling Defendants"); and
- (2) Settlement Class Counsel's motion for an award of attorneys' fees and reimbursement of litigation costs and expenses.

This Notice provides information concerning the proposed settlements and the motion for attorneys' fees and reimbursement of litigation costs and expenses. The Notice also advises you of your rights to exclude yourself from any or all of the Settlement Classes, and to object to the terms of the proposed settlements and the request for fees, costs and expenses, in connection with the Court hearing on these matters.

BACKGROUND

Plaintiff has reached settlements with the MITSUBISHI ELECTRIC Defendants, the HIAMS Defendants, the MITSUBA Defendants, and the DENSO Defendants totaling \$10,110,449. Under the terms of the proposed settlements, MITSUBISHI ELECTRIC will pay a total of \$2,123,810 (the “MITSUBISHI ELECTRIC Settlement Fund”), HIAMS will pay a total of \$7,356,923 (the “HIAMS Settlement Fund”), MITSUBA will pay a total of \$529,716 (the “MITSUBA Settlement Fund”), and DENSO will pay a total of \$100,000 (the “DENSO Settlement Fund”) (the four settlement funds are collectively referred to as the “Fuel Injection Systems Settlement Fund”). As discussed below, the MITSUBISHI ELECTRIC Settlement is subject to rescission based upon valid and timely requests for exclusion by members of the MITSUBISHI ELECTRIC Settlement Class.

This litigation, and the proposed settlements, are part of coordinated legal proceedings involving a number of parts used in motor vehicles. This litigation and the proposed settlements relate solely to Fuel Injection Systems purchased in the United States **directly** from a Defendant, or depending on the specific settlement agreement, its parents, subsidiaries, affiliates, or joint ventures. The meaning of the term “Fuel Injection Systems” is defined in each settlement agreement, but generally includes products that admit fuel or a fuel/air mixture into engine cylinders and may include fuel injectors, high pressure pumps, rail assemblies, feed lines, electronic throttle bodies, engine control units, fuel pumps, fuel pump modules, pressure regulators, pulsation dampers, electronic throttle motors, as well as an array of meters (e.g., airflow meters and/or air mass meters), sensors (e.g., air mass sensors, altitude sensors, boost pressure sensors, cam position sensors, manifold absolute pressure sensors, mark sensors, phase sensors, pressure sensors, and/or speed sensor temperature sensors), and valves (e.g., check valves, cut-off valves, injection valves, and/or purge control valves), and other components sold as a unitary system, as part of a broader system, such as an engine management system, or as separate components. The listed parts in the preceding sentence are encompassed by the definition “Fuel Injection Systems” regardless of whether they are used in the Fuel Injection Systems or for some other purpose. These proposed settlements do not relate to, and have no effect upon, cases involving any product other than Fuel Injection Systems.

If you are a member of any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes (defined below), you have the rights and options summarized here:

- You may remain in any or all of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Classes and be eligible to share in the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Funds under a claims procedure that will be instituted in the future;
- You may exclude yourself from the any or all of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Classes, in which case you will **not** be bound by any settlement from which you exclude yourself and will **not** be eligible to share in the proceeds of that settlement;
- If you remain in any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you may object to that proposed settlement or to Settlement Class Counsel’s request for an award of attorneys’ fees and reimbursement of litigation costs and expenses. You may also appear at the hearing where the Court will consider these matters; and
- You may enter an appearance in the litigation through your own counsel at your own expense.

WHO IS IN THE SETTLEMENT CLASSES?

The Court has provisionally certified a Direct Purchaser MITSUBISHI ELECTRIC Settlement Class (“MITSUBISHI ELECTRIC Settlement Class”), a Direct Purchaser HIAMS Settlement Class (the “HIAMS Settlement Class”), a Direct Purchaser MITSUBA Settlement Class (the “MITSUBA Settlement Class”), and a Direct Purchaser DENSO Settlement Class (the “DENSO Settlement Class”) for the purpose of disseminating notice of the proposed MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO settlements.

The MITSUBISHI ELECTRIC Settlement Class is defined as follows:

All individuals and entities who purchased Fuel Injection Systems in the United States directly from one or more Defendants (or their subsidiaries, affiliates, or joint ventures) from January 1, 2000 through March 12, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries, and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies and instrumentalities.

The HIAMS Settlement Class is defined as follows:

All individuals and entities who purchased Fuel Injection Systems in the United States directly from Defendants (or their subsidiaries or affiliates) from January 1, 2000 through March 12, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies and instrumentalities.

For purposes of the MITSUBISHI ELECTRIC and HIAMS Settlement Class definitions set forth above, the following entities are Defendants: Aisan Industry Co., Ltd; Franklin Precision Industry, Inc.; Aisan Corporation of America; Hyundam Industrial Co., Ltd; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; DENSO Corporation; DENSO International America, Inc.; DENSO International Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation); Keihin Corporation; Keihin North America, Inc.; Maruyasu Industries Co., Ltd.; Mikuni Corporation; Mikuni American Corporation; MITSUBA Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd.; Robert Bosch LLC.

The MITSUBA Settlement Class is defined as follows:

All individuals and entities who purchased Fuel Injection Systems in the United States directly from one or more Defendants (or their subsidiaries, affiliates, or joint-ventures) from January 1, 2000 through March 12, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies and instrumentalities.

For purposes of the MITSUBA Settlement Class definition set forth above, the following entities are Defendants: Aisan Industry Co., Ltd; Franklin Precision Industry, Inc.; Aisan Corporation of America; Hyundam Industrial Co., Ltd; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; DENSO Corporation; DENSO International America, Inc.; DENSO International Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation); Keihin Corporation; Keihin North America, Inc.; Maruyasu Industries Co., Ltd.; Mikuni Corporation; Mikuni American Corporation; MITSUBA Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Robert Bosch GmbH; Robert Bosch LLC.

The DENSO Settlement Class is defined as follows:

All individuals and entities who purchased Fuel Injection Systems in the United States directly from one or more Defendant(s) (or their subsidiaries, affiliates, or joint ventures) from January 1, 2000 through March 12, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries, and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies and instrumentalities.

For purposes of the DENSO Settlement Class definitions set forth above, the Defendants are: Aisan Corp. of America; Aisan Industry Co., Ltd.; Franklin Precision Industry, Inc.; Hyundam Industrial Co., Ltd.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd.; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation); Hitachi, Ltd.; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Keihin Corp.; Keihin North America, Inc.; Maruyasu Industries Co., Ltd.; Mikuni Corp.; Mikuni American Corp.; MITSUBA Corp.; American Mitsuba Corp.; Mitsubishi Electric Corp.; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; and any of their parents, subsidiaries, and affiliates.

Plaintiff Vitec, L.L.C. has been appointed by the Court to serve as "Class Representative" for the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Settlement Classes.

The Court has appointed the law firms of Freed Kanner London & Millen LLC, Kohn, Swift & Graf, P.C., Preti, Flaherty, Beliveau & Pachios LLP, and Spector Roseman & Kodroff, P.C. to serve as "Settlement Class Counsel" for the Settlement Classes.

WHAT IS THIS LITIGATION ABOUT?

In May 2015, Plaintiff filed a class action lawsuit against Defendants on behalf of a class of direct purchasers of Fuel Injection Systems, alleging that they conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Fuel Injection Systems sold in the United States, in violation of federal antitrust laws. Plaintiff further alleges that as a result of the conspiracy, it and other direct purchasers of Fuel Injection Systems were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

The Settling Defendants all deny Plaintiff's allegations and liability and have asserted defenses to Plaintiff's claims. The Settling Defendants have agreed to settle this matter to avoid the expense and burden of further litigation. The Court has not issued any findings or rulings with respect to the merits of Plaintiff's claims or the Settling Defendants' defenses. These settlements are with the MITSUBISHI ELECTRIC Defendants, HIAMS Defendants, MITSUBA Defendants, and DENSO Defendants only. Plaintiff is continuing to prosecute the case against the remaining non-settling Defendants.

WHAT RELIEF DO THE PROPOSED SETTLEMENTS PROVIDE?

Plaintiff, on behalf of the MITSUBISHI ELECTRIC Settlement Class, entered into a settlement agreement with the MITSUBISHI ELECTRIC Defendants on March 12, 2018 (the "MITSUBISHI ELECTRIC Settlement Agreement"), under which the MITSUBISHI ELECTRIC Defendants have agreed to pay \$2,123,810. The MITSUBISHI ELECTRIC Settlement Agreement gives MITSUBISHI ELECTRIC and Plaintiff the right to withdraw from the settlement based upon valid and timely requests for exclusion by MITSUBISHI ELECTRIC Settlement Class members. Pursuant to the MITSUBISHI ELECTRIC Settlement Agreement, the MITSUBISHI ELECTRIC Defendants also agreed to cooperate with Plaintiff in the prosecution of the lawsuit against any remaining, non-settling Defendants.

Plaintiff, on behalf of the HIAMS Settlement Class, entered into a settlement with the HIAMS Defendants on May 14, 2018 (the "HIAMS Settlement Agreement"), under which the HIAMS Defendants agreed to pay \$7,356,923. The HIAMS Defendants also agreed to cooperate with Plaintiff in the continuing prosecution of any remaining, non-settling Defendants.

Plaintiff, on behalf of the MITSUBA Settlement Class, entered into a settlement with the MITSUBA Defendants on June 29, 2018 (as amended December 3, 2018) (the "MITSUBA Settlement Agreement"), under which the MITSUBA Defendants agreed to pay \$529,716. The MITSUBA Defendants also agreed to cooperate with Plaintiff in the continuing prosecution of any remaining, non-settling Defendants.

Plaintiff, on behalf of the DENSO Settlement Class, entered into a settlement agreement with the DENSO Defendants on February 4, 2019 (the "DENSO Settlement Agreement"), under which the DENSO Defendants agreed to pay \$100,000. The DENSO Defendants have also agreed to cooperate with Plaintiff in the continuing prosecution of any remaining, non-settling Defendants.

This Notice is only a summary of the terms of the proposed settlements. The MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Settlement Agreements contain other important provisions, including the release of certain claims against the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Defendants (and companies and people affiliated with them). For the complete terms of the settlements, you are referred to the settlement agreements, which are on file with the Clerk of Court and are available on-line at www.AutoPartsAntitrustLitigation.com/fis. The proposed settlements must receive final approval by the Court to become effective.

If you wish to object to the approval of any of the settlements, you may do so, but only in accordance with the procedures set forth below. If you do not object to a settlement, you do not need to take any action at this time to indicate your support for, or lack of objection to, that settlement.

HOW DO I REMAIN IN THE SETTLEMENT CLASSES AND WHAT HAPPENS IF I DO?

If you are a member of any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes as defined above, you will automatically remain in that Settlement Class unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time with respect to that Settlement Class and your interests will be represented by the Class Representative and by Settlement Class Counsel. If you remain in any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Classes and the proposed settlement with that Defendant is approved and becomes effective, you will be bound by its terms, including the release provisions, whether or not you receive a share of the settlement proceeds attributable to that settlement.

You will have no responsibility to individually pay attorneys' fees or expenses. Any such fees and expenses will be paid solely from amounts obtained from the Defendants, whether by settlement or judgment, and must be approved by the Court after notice to you and a hearing. If you choose, you may also have your own attorney enter an appearance on your behalf and at your expense.

As a member of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you will be eligible to share in the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Funds pursuant to a claims procedure that will begin at a later date. Settlement Class Counsel are not presently asking the Court to distribute any proceeds from the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Funds. If you remain a member of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you will be sent additional notice at a later date and you will have an opportunity to object and be heard in connection with the proposed plan of distribution at that time.

Do not dispose of any document that reflects your purchases of Fuel Injection Systems in the United States directly from any Defendant during the period from January 1, 2000 through March 12, 2018. You may need those documents to complete and substantiate a claim form in the future, which would be subject to inquiry and verification.

WHAT IF I DO NOT WANT TO REMAIN IN ONE OR MORE OF THE SETTLEMENT CLASSES?

You may exclude yourself from any or all of the Settlement Classes. If you wish to exclude yourself from any or all of the Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than August 16, 2019**, to Settlement Class Counsel, and to counsel for the Settling Defendants, at the addresses set forth below, and to the following address:

Settlement Administrator
Fuel Injection Systems Direct Purchaser Antitrust Litigation
P.O. Box 3656
Portland, OR 97208-3656

Your request for exclusion must identify the Settlement Class or Classes from which you are seeking exclusion and must include the full name and address of the purchaser (including any predecessor or successor entities and any trade names). You are also requested to identify the Defendant(s) (or parent, affiliate, subsidiary, or joint venture) from which you purchased Fuel Injection Systems during the Class Period for the Settlement Class from which you seek exclusion, the Fuel Injection Systems purchased during the Class Period, and the dollar amount of your purchases. If you validly exclude yourself from any or all of the Settlement Classes, you will not be bound by any decision concerning the Settlement Class or Classes from which you exclude yourself and you may pursue individually any claims you may have against that Defendant (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

REQUEST FOR ATTORNEYS' FEES AND EXPENSES

The Court has appointed the law firms identified above as Settlement Class Counsel. These law firms, together with other firms that have worked on this litigation, will file a petition for an award of attorneys' fees and reimbursement of their costs and expenses in prosecuting the case. The request of Settlement Class Counsel for attorneys' fees will not exceed 30 percent (30%) of the Fuel Injection Systems Settlement Fund.

The application for attorneys' fees and litigation costs and expenses will be filed on or before July 26, 2019. After that date, the petition for attorneys' fees will be available for your review on the settlement website at www.AutoPartsAntitrustLitigation.com/fis. If you remain a member of any of the four Settlement Classes and you wish to object to the request for fees and expenses, you must do so in writing in accordance with the procedures for objections set forth below. If you do not oppose this request, you do not need to take any action in that regard.

WHEN WILL THE COURT CONSIDER THESE MATTERS AND HOW CAN I TELL THE COURT WHAT I THINK ABOUT THE SETTLEMENTS?

The Court will hold a hearing on October 3, 2019, at 11:00 a.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 252 (or such other courtroom as may be assigned for the hearing), to determine whether to approve the proposed MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO settlements and Settlement Class Counsel's request for an award of attorneys' fees and reimbursement of litigation costs and expenses. The hearing may be rescheduled, continued or adjourned, and the courtroom assigned for the hearing may be changed, without further notice to you.

If you remain a member of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes and you wish to object to that proposed settlement or to Settlement Class Counsel's request for an award of attorneys' fees and reimbursement of litigation costs and expenses, you must do so in writing and at your own expense. Any such objection must include the caption of this litigation, must be signed, and must be **filed no later than August 16, 2019**, with the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, and mailed to the following counsel, **postmarked no later than August 16, 2019**:

Steven A. Kanner
FREED KANNER LONDON
& MILLEN LLC
2201 Waukegan Road, Suite 130
Bannockburn, IL 60015
Telephone: (224) 632-4500

Joseph C. Kohn
KOHN, SWIFT & GRAF, P.C.
1600 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 238-1700

Gregory P. Hansel
PRETI, FLAHERTY, BELIVEAU
& PACHIOS LLP
One City Center, P.O. Box 9546
Portland, ME 04112-9546
Telephone: (207) 791-3000

Eugene A. Spector
SPECTOR ROSEMAN & KODROFF, P.C.
Two Commerce Square
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496-0300

Co-Lead Counsel for the Direct Purchaser Settlement Classes

Michael T. Brody
JENNER & BLOCK LLP
353 N. Clark Street
Chicago, IL 60654
Telephone: (312) 222-9350

Counsel for the Mitsubishi Electric Defendants

Craig P. Seebald
VINSON & ELKINS LLP
2200 Pennsylvania Ave NW
Suite 500-W
Washington, DC 20037
Telephone: (202) 639-6500

Counsel for the HIAMS Defendants

Rachel S. Brass
GIBSON, DUNN & CRUTCHER LLP
555 Mission Street, Suite 3000
San Francisco, CA 94105-0921
Telephone: (415) 393-8293

Counsel for the MITSUBA Defendants

Steven F. Cherry
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 663-6000

Counsel for the DENSO Defendants

If you do not object to any of the proposed settlements, or to the related matters set forth above, you do not need to appear at the hearing or take any other action at this time.

WHAT SHOULD I DO IF I WANT ADDITIONAL INFORMATION OR IF MY ADDRESS CHANGES?

If this Notice reached you at an address other than the one on the mailing label, or if your address changes, please send your correct address to: Fuel Injection Systems Direct Purchaser Antitrust Litigation, P.O. Box 3656, Portland, OR 97208-3656.

The Settlement Agreements, Complaints, and other public documents filed in this litigation are available for review during normal business hours at the offices of the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, and through the Court's Public Access to Court Electronic Records (PACER) system after registration and payment of a modest fee. Copies of the Settlement Agreements and certain other documents relevant to this litigation are available at www.AutoPartsAntitrustLitigation.com/fis. Questions concerning the proposed MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO settlements, this Notice, or the litigation may be directed to any of the Settlement Class Counsel identified above.

Please do not contact the Clerk of the Court or the Judge.

Dated: June 27, 2019

BY ORDER OF:

The United States District Court for the Eastern District of Michigan, Southern Division

EXHIBIT B

CONFIRMATION OF PUBLICATION

IN THE MATTER OF: *Auto Parts – Fuel Injection Systems*

I, Kathleen Komraus, hereby certify that

(a) I am the Media & Design Manager at Epiq Class Action & Claims Solutions, a noticing administrator, and;

(b) The Notice of which the annexed is a copy was published in the following publications on the following date:

7.1.19 – Automotive News
7.1.19 – PR Newswire's Auto Wire

(c) Banner advertisements are appearing on the following digital properties on the following dates:

7.1.19 – 7.21.19 – Automotive News (AutoNews.com)

X Kathleen Komraus
(Signature)

Media + Design Manager
(Title)



Sonic will consolidate its Momentum Mini store in Houston into a new Momentum BMW store, shown in this rendering, set to be built next year.

Sonic bringing Mini into 2 BMW stores

Group opts to integrate Calif., Texas sites

Melissa Burden
 mburden@crain.com

CHARLOTTE, N.C. — Sonic Automotive Inc. is moving its Long Beach Mini store in California into its nearby Long Beach BMW dealership and plans to fold a second Mini franchise inside a new BMW store it expects to open late next year in Houston.

The nation's fifth-largest dealership group is believed to be among the first companies to integrate Mini sales into a BMW dealership after BMW of North America last year gave its Mini retailers who also had BMW stores that option. That significant move by BMW, which put a number of conditions on how retailers go about consolidating the Mini business into BMW stores, comes amid Mini's declining sales and a high number of unprofitable dealerships. Dealers representing 29 outlets have expressed interest in consolidating their Mini store into their BMW location or have begun the process, a Mini spokesman told *Automotive News* last month.

Mini spokesman Andrew Cutler confirmed that Mini reviewed and approved Sonic's plans. While Cutler said he was not able to say how many other dealerships are integrating Mini stores into BMW stores, he said the option is still open to Mini dealers. Mini has 122 dealerships in the U.S.

Sonic executives said they remain committed to the Mini brand. Sonic has eight Mini stores and 15 BMW dealerships nationally.

Sonic President Jeff Dyke told *Automotive News* that the Long

Beach Mini integration is set to occur in July. BMW last year came out with parameters for the moves including requiring separate Mini-branded showrooms and dedicated sales and service employees, plus dedicated service lanes and bays. For the Long Beach store, some walls had to move to make the transition happen, Dyke said.



Dyke: Move walls or start new.

"When we're building a new store, in Houston, for example, it's easy to build in Mini," he said.

Sonic will integrate its Momentum Mini store in Houston into a new Momentum BMW store set to be built next year on the site of a former Sears store in that market. The new dealership is expected to open by the end of 2020, Dyke said.

Dyke said some of Sonic's Mini stores already are located on the same lots as its BMW stores, so there is no need to combine them. And others, such as Sonic's Atlanta-area Mini standalone store and Mini of Fort Myers in Florida are performing well and don't need to be combined, Dyke said.

Dyke and Sonic CEO David Smith said they appreciate BMW's flexibility to allow retailers to move Mini operations inside BMW stores.

"It's huge," Smith said, adding that "the traffic at a BMW store is just going to help the Mini store."

Sonic hasn't decided what to do with its Long Beach Mini location in Signal Hill, Calif.

Sonic, of Charlotte, N.C., is No. 5 on *Automotive News'* list of the top 150 dealership groups based in the U.S., with retail sales of 122,717 new vehicles in 2018. **EN**

Recession's effects linger in dearth of cheap cars

The new-vehicle sales slowdown of the Great Recession is adversely impacting used-vehicle inventory, particularly when it comes to customers with budget constraints, according to CarGurus.

Finding inventory at prices below \$10,000 is a challenge for dealers because the vehicles that should have aged into that price point were never sold, says George Augustaitis, director of automotive industry analytics at CarGurus.

New-vehicle sales dropped 21 percent in 2009 to 10.43 million units, according to the Automotive News Data Center, and took several years to rebound to normal levels. Because of that plunge, used-vehicle

inventory priced below \$10,000 has been declining since last year, CarGurus says.

"There is a demand for these vehicles. There's just a lack of supply we haven't seen in years," Augustaitis said.

Augustaitis predicts that vehicles priced around \$10,000, mostly sedans, will return to market in 2022. Around 2025, the supply of used vehicles below \$10,000 will be more SUV-heavy.

Until then, he says, dealers need to be creative in obtaining used-vehicle inventory and should work with customers to get financing they can afford.

— Jackie Charniga

LEGAL NOTICE

IF YOU PURCHASED FUEL INJECTION SYSTEMS IN THE UNITED STATES DIRECTLY FROM ANY OF THE ENTITIES IDENTIFIED BELOW FROM JANUARY 1, 2000 THROUGH MARCH 12, 2018, YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROPOSED SETTLEMENTS WITH THE MITSUBISHI ELECTRIC, HIAMS, MITSUBA AND DENSO DEFENDANTS

Proposed settlements totaling approximately \$10.1 million have been reached in *In re Automotive Parts Antitrust Litigation*, Master File No. 12-md-02311, 2:15-cv-11827, 2:15-cv-13423 (E.D. Mich.), with the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Defendants (collectively, the "Settling Defendants").

What is the lawsuit about? This class action is part of coordinated legal proceedings involving Fuel Injection Systems purchased in the United States directly from a Defendant (as defined below). These proceedings do not relate to, and have no effect upon, cases involving any other product.

The term "Fuel Injection Systems" is defined in each of the settlement agreements, but generally refers to products that admit fuel or a fuel/air mixture into engine cylinders and may include fuel injectors, high pressure pumps, rail assemblies, feed lines, electronic throttle bodies, engine control units, fuel pumps, fuel pump modules, pressure regulators, pulsation dampers, electronic throttle motors, as well as an array of meters (e.g., airflow meters and/or air mass meters), sensors (e.g., air mass sensors, altitude sensors, boost pressure sensors, cam position sensors, manifold absolute pressure sensors, mark sensors, phase sensors, pressure sensors, and/or speed sensor temperature sensors), and valves (e.g., check valves, cut-off valves, injection valves, and/or purge control valves), and other components sold as a unitary system, as part of a broader system, such as an engine management system, or as separate components. The listed parts in the preceding sentence are encompassed by the definition "Fuel Injection Systems" regardless of whether they are used in the Fuel Injection Systems or for some other purpose.

Direct Purchaser Plaintiff alleges that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Fuel Injection Systems sold in the United States, in violation of federal antitrust laws. Plaintiff further alleges that as a result of the conspiracy, it and other direct purchasers of Fuel Injection Systems were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

Plaintiff has reached settlements with the MITSUBISHI ELECTRIC Defendants, the HIAMS Defendants, the MITSUBA Defendants, and the DENSO Defendants totaling \$10,110,449. Under the terms of the proposed settlements, MITSUBISHI ELECTRIC will pay a total of \$2,123,810, HIAMS will pay a total of \$7,356,923, MITSUBA will pay a total of \$529,716, and DENSO will pay a total of \$100,000, and each of the Settling Defendants has agreed to provide cooperation to assist Plaintiff in the prosecution of the claims against any remaining, non-settling Defendants.

Who is included? The Court has preliminarily approved, and has provisionally certified the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Settlement Classes. You are a member of one or more of these Settlement Classes if you purchased Fuel Injection Systems in the United States directly from any of the following entities (or depending on the specific settlement agreement, their parents, subsidiaries, affiliates or joint ventures, each a "Defendant") during the period from January 1, 2000 through March 12, 2018: Aisan Industry Co., Ltd.; Franklin Precision Industry, Inc.; Aisan Corporation of America; Hyundai Industrial Co., Ltd.; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; DENSO Corporation; DENSO International America, Inc.; DENSO Korea Corporation (f/k/a DENSO International Korea Corporation and DENSO Korea Automotive Corporation); Keihin Corporation; Keihin North America, Inc.; Maruyasu Industries Co., Ltd.; Mikuni Corporation; Mikuni American Corporation; MITSUBA Corporation; American Mitsubishi Corporation; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd.; Robert Bosch LLC.

A Notice of Proposed Settlements (the "Notice") was mailed to potential MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO Settlement Class members on or about June 27, 2019. The Notice describes the litigation and options available to Settlement Class members with respect to the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO settlements in more detail. If you did not receive the Notice you may obtain a copy on the internet at www.AutoPartsAntitrustLitigation.com/tis, or by calling or writing to any of the following Settlement Class Counsel:

Gregory P. Hansel
 PRETI, FLAHERTY, BELIVEAU & PACHIOS LLP
 One City Center, P.O. Box 9546

Portland, ME 04112-9546
 Telephone: (207) 791-3000

Joseph C. Kohn
 KOHN, SWIFT & GRAF, P.C.
 1600 Market Street, Suite 2500
 Philadelphia, PA 19103
 Telephone: (215) 238-1700

Steven A. Kanner
 FREED KANNER LONDON & MILLEN LLC
 2201 Waukegan Road, Suite 130
 Bannockburn, IL 60015
 Telephone: (224) 632-4500

Eugene A. Spector
 SPECTOR ROSEMAN & KODROFF, P.C.
 Two Commerce Square
 2001 Market Street, Suite 3420
 Philadelphia, PA 19103
 Telephone: (215) 496-0300

What do the settlements provide? MITSUBISHI ELECTRIC, HIAMS, MITSUBA and DENSO have agreed to pay a total of \$10,110,449 to settle the Class Members' claims against them. In exchange for these payments, members of the class who do not request to be excluded from the class will release their claims against the Settling Defendants as set forth in the Settlement Agreements. The settlement proceeds will be distributed to the Settlement Classes pursuant to a claims procedure that will begin at a later date. As described in more detail in the Notice, the MITSUBISHI ELECTRIC Settlement is subject to rescission based upon valid and timely requests for exclusion by members of the MITSUBISHI ELECTRIC Settlement Class. As part of the settlements all of the Settling Defendants have agreed to provide cooperation in the prosecution of claims against any remaining Defendants.

Your rights may be affected. If you are a member of any or all of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes you will automatically remain a member of those Settlement Classes unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time and your interests will be represented by the Class Representative and by Settlement Class Counsel. In order to share in the proceeds of any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO settlements, however, you must complete and timely submit a copy of a claim form that will be sent to potential Settlement Class members at a later date.

If you wish to exclude yourself from any or all of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, postmarked no later than August 16, 2019, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from any or all of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Classes, you will not be bound by any decision concerning that settlement class and you can pursue individually any claims you may have against that Defendant (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

If you remain a member of any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you have the right to object to that proposed settlement or to Settlement Class Counsel's request for an award of attorneys' fees and litigation costs and expenses by following the procedures set forth in the Notice. Your objection must be filed no later than August 16, 2019.

The Court has scheduled a hearing on October 3, 2019, to consider whether to approve the proposed settlements and Settlement Class Counsel's request for an award of attorneys' fees and litigation costs and expenses. The hearing may be continued without further notice to you.

If you believe you are a member of any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA and/or DENSO Settlement Classes, you are urged to obtain a copy of the Notice, which explains your rights regarding the settlements and related matters.

If you have questions concerning this litigation, you may contact any of the Settlement Class Counsel identified above. Do not contact the Clerk of the Court or the Judge.

Dated: July 1, 2019

BY ORDER OF:
 The United States District Court for the Eastern District of Michigan, Southern Division

Automotive News
4040 UNDER Live
 JULY 18
 JOIN US ONLINE!
 EXCLUSIVE SPONSOR
 ally
 SEE P. 19

\$10,110,449 in Direct Purchaser Settlements Reached with Fuel Injection Systems Manufacturers in Price Fixing Class Action Lawsuit

NEWS PROVIDED BY

The United States District Court for the Eastern District of Michigan, Southern Division →

Jul 01, 2019, 08:00 ET

DETROIT, July 1, 2019 /PRNewswire/ -- Freed Kanner London & Millen LLC; Kohn, Swift & Graf, P.C.; Preti, Flaherty, Beliveau & Pachios, LLP; and Spector Roseman & Kodroff, P.C. ("Settlement Class Counsel") announce that the United States District Court for the Eastern District of Michigan Southern Division ("Court") has approved the following announcement of proposed class action settlements with the Mitsubishi Electric Defendants, HIAMS Defendants, MITSUBA Defendants and DENSO Defendants (collectively "Settling Defendants"). The settlements resolve allegations against the Settling Defendants that they conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of fuel injection systems sold in the United States, in violation of federal antitrust laws.

The settlements affect those who purchased fuel injection systems in the United States between January 1, 2000 and March 12, 2018 directly from any one of the following entities (or depending on the specific settlement agreements, their parents, subsidiaries, affiliates, and joint ventures): Aisan Industry Co., Ltd; Franklin Precision Industry, Inc.; Aisan Corporation of America; Hyundam Industrial Co., Ltd; Hitachi Automotive Systems, Ltd., Hitachi Automotive Systems Americas, Inc., Hitachi, Ltd.; DENSO Corporation; DENSO International America, Inc.; DENSO International Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation); Keihin Corporation; Keihin North America, Inc.; Maruyasu Industries Co., Ltd.; Mikuni Corporation; Mikuni American Corporation; Mitsuba Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd.; and Robert Bosch LLC.

A hearing will be held on October 3, 2019, at 11:00 a.m., before the Honorable Marianne O. Battani, United States District Judge, at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 252, for the purpose of determining whether the proposed settlements with the Mitsubishi Electric Defendants, HIAMS Defendants, MITSUBA Defendants and DENSO Defendants totaling \$10,110,449 should be approved by the Court as fair, reasonable and adequate and whether the Court should approve Settlement Class Counsel's request for an award of attorneys' fees and reimbursement of litigation costs and expenses.

A Notice of Proposed Settlements (the "Notice") was mailed to potential Settlement Class members on or about June 27, 2019. The Notice describes the litigation and options available to Settlement Class members with respect to the Mitsubishi Electric, HIAMS, MITSUBA and DENSO settlements in more detail. The Notice also explains what steps a Settlement Class Member must take to (1) object to any or all of the settlements, or (2) request exclusion from one or more of the settlement classes. The Notice and other important documents related to the Settlements can be accessed at www.AutoPartsAntitrustLitigation.com/fis, or by calling 1-888-266-9280 or writing to Fuel Injection Systems Direct Purchaser Antitrust Litigation, P.O. Box 3656, Portland, OR 97208-3656.

SOURCE: United States District Court for the Eastern District of Michigan Southern Division

URL: www.AutoPartsAntitrustLitigation.com/fis

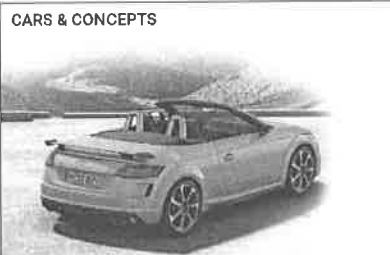
SOURCE The United States District Court for the Eastern District of Michigan, Southern Division

2:57:55 PM 7/1/2019

More Access F&I stories »
Get the F&I Report newsletter »
SPONSORED BY
NOBILIS GROUP

SALES | UPDATED 4 HOURS AGO
Halfway into '19, industry seeks first sales gain
If the forecasts are right, this will be the second time in three years that the U.S. industry fails to record a single monthly increase from January through June.

- Industry Events Coverage** (during major events)
- Fixed Ops Journal** (bimonthly)
- U.S. Sales Report** (monthly)
- Cars & Concepts** (Tuesdays)
- Yes, I'd like to receive information and special offers about Automotive News subscriptions.
- Yes, I'd like to receive valuable information about special editorial content, new features and research from *Automotive News*.
- Yes, I'd like to stay informed about upcoming *Automotive News* events and conferences.
- Yes, I'd like to stay informed about upcoming *Automotive News* online events and webinars.
- Yes, I'd like to receive information and whitepapers from select third-party partners of *Automotive News*.



TT or not TT? That is the question
Ford developing family of EVs targeted at Europe
Did Land Rover's new Defender break in Image of Instrument cluster?

\$10,110,449 in Direct Purchaser Settlements Reached with Fuel Injection Systems Manufacturers in Price Fixing Class Action Lawsuit



EMAIL ADDRESS

2:24:00 PM 7/1/2019

Automotive News

SUBSCRIBE ACCOUNT LOGIN

HOME NEWS OPINION DATA CENTER VIDEO EVENTS & AWARDS JOBS +MORE

Search



San Diego fraud ring charged with stealing millions from major auto lenders

Death of recession-era vehicles puts budget-conscious buyers in a bind

Credit unions lose market share for the first time since 2011

[More Access F&I stories »](#)

[Get the F&I Report newsletter »](#)



FCA shuffle puts familiar leaders over Jeep, Dodge

The moves show the continuing evolution of FCA CEO Mike Manley's management team, which has included returning some executives to brands and roles where they have prior experience.

Click here for more information.
www.AutoPartsAntitrustLitigation.com/fis

- PM Newscast** (*weekdays*)
- Weekend Drive** (*Saturdays*)
- Special Video Reports** (*occasionally*)
- F&I Report** (*Wednesdays*)
- Mobility Report** (*Thursdays*)
- Shift Magazine** (*5x/year*)
- Lead the Way** (*monthly*)
- Industry Events Coverage** (*during major events*)
- Fixed Ops Journal** (*bimonthly*)
- U.S. Sales Report** (*monthly*)
- Cars & Concepts** (*Tuesdays*)
- Yes, I'd like to receive information and special offers about Automotive News subscriptions.
- Yes, I'd like to receive valuable information about special editorial content, new features and research from Automotive News

CARS & CONCEPTS



Subscribe for only \$3.05/week

EXHIBIT 2

EXHIBIT 2

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 12-MD-02311, FUEL INJECTION SYSTEMS, 2:13-CV-02201-MOB-MKM, 2:15-CV-11827-MOB-MKM, 2:15-CV-13423-MOB-MKM

REQUESTS FOR EXCLUSION FROM THE DIRECT PURCHASER SETTLEMENT CLASSES

<p>DAIMLER TRUCKS NORTH AMERICA LLC</p> <p>SUZUKI Suzuki Motor of America, Inc. and Suzuki Motor Corporation, along with companies in which Suzuki Motor Corporation directly or indirectly owns the majority of voting rights, excluding Maruti Suzuki India Limited</p> <p>FORD Ford Motor Company and its wholly owned divisions, subsidiaries and affiliates</p> <p>BMW BMW Manufacturing Co., LLC, along with its parent company (Bayerische Motoren Werke Aktiengesellschaft) and affiliated entities (including BMW of North America, LLC and BMW Consolidation Services Co., LLC)</p> <p>SUBARU OF INDIANA AUTOMOTIVE, INC.</p> <p>NISSAN Nissan Motor Co., Ltd. and Nissan North America, Inc., including their subsidiaries and majority-owned affiliates</p> <p>SUBARU Subaru Corporation f/k/a Fuji Heavy Industries Ltd. Subaru of America, Inc.</p>	<p>TOYOTA Toyota Motor North America, Inc. Toyota Motor Engineering & Manufacturing North America, Inc. Toyota Motor Sales U.S.A., Inc. Toyota Motor Manufacturing, Mississippi, Inc. Toyota Motor Manufacturing, Indiana, Inc. Toyota Motor Manufacturing, Kentucky, Inc. Toyota Motor Manufacturing Toyota Motor Corporate Service Toyota Motors of America Toyota Motor Manufacturing de Baja California, S. de R.L. de C.V. Toyota Motor Manufacturing, West Virginia, Inc. Toyota Motor Manufacturing, Alabama, Inc. Toyota Motor Manufacturing, Texas, Inc. Toyota Motor Manufacturing, Canada, Inc. Toyota Motor Corporation Toyota Motor Engineering New United Motor Manufacturing, Inc. Bodine Aluminum, Inc. TABC, Inc. Canadian Autoparts Toyota Inc. Toyota Motor Manufacturing de Guanajuato, S.A. de C.V. Toyota Motor Manufacturing California, Inc Toyota Motor Manufacturing, Northern Kentucky, Inc.</p> <p>HONDA American Honda Motor Co., Inc. Honda of America Mfg., Inc. Honda R&D Americas, Inc. Honda Mfg. of Indiana, LLC</p>
--	---

MITSUBISHI MOTORS NORTH AMERICA, INC.

GENERAL MOTORS

General Motors LLC (“GM”),
General Motors Company, and
General Motors Holdings LLC, along with all
their subsidiaries (in which GM directly or
indirectly owns 50% or more of the voting
rights) and majority-owned affiliates

EXHIBIT 3

Exhibit 3

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 12-MD-02311

FUEL INJECTION SYSTEMS, 2:13-CV-02201-MOB-MKM, 2:15-CV-11827-MOB-MKM,
2:15-CV-13423-MOB-MKM

Requests for Exclusion

Class Member	DENSO	HIAMS	MELCO	MITSUBA
AMERICAN HONDA MOTOR CO., INC.	X	X	X	
BMW MANUFACTURING CO., LLC	X			
DAIMLER TRUCKS NORTH AMERICA LLC	X			
FORD MOTOR COMPANY	X	X	X	X
GENERAL MOTORS LLC	X	X	X	X
MITSUBISHI MOTORS NORTH AMERICA, INC.	X		X	
NISSAN MOTOR CO., LTD.	X	X	X	X
SUBARU CORPORATION	X		X	X
SUBARU OF INDIANA AUTOMOTIVE, INC.	X			
SUZUKI MOTOR CORPORATION	X		X	X
TOYOTA MOTOR NORTH AMERICA, INC.	X			

X = Requested Exclusion from Settlement