

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

IN RE AUTOMOTIVE PARTS ANTITRUST LITIGATION	: : : :	2:12-md-02311 Honorable Sean F. Cox
IN RE: FUEL SENDERS CASES	: : : :	Case No. 2:12-cv-00301-SFC-RSW
THIS DOCUMENT RELATES TO: ALL DIRECT PURCHASER CASES	: : : : : :	

**ORDER AUTHORIZING DISSEMINATION
OF NOTICE TO THE DIRECT PURCHASER
YAZAKI AND DENSO SETTLEMENT CLASSES**

Upon consideration of the Direct Purchaser Plaintiff’s Motion for an Order Authorizing Dissemination of Notice to the Direct Purchaser Yazaki and DENSO Settlement Classes (the “Motion”), and supporting memorandum (the “Notice Memorandum”), it is hereby ORDERED as follows:

1. The Motion is hereby **GRANTED**.
2. By Order of this Court dated April 6, 2017 2:12-cv-00301, ECF No. 107, the Court preliminarily approved a Settlement Agreement between the Direct Purchaser Plaintiff and Defendant Yazaki. On April 24, 2019, as amended May 23, 2019, the Court preliminarily approved a Settlement Agreement between the Direct Purchase Plaintiff and Defendant DENSO (2:12-cv-00301, ECF Nos. 134, 137). The Court also certified for purposes of the settlements a Direct Purchaser Yazaki Settlement Class (the “Yazaki Settlement Class”) and a Direct Purchaser DENSO class (the “DENSO Settlement Class”). The Yazaki and DENSO Settlement Classes shall receive notice in accordance with the terms of this Order.

3. The Court approves the form and content of (a) the Notice of Proposed Settlements of Direct Purchaser Class Action with the Yazaki and DENSO Defendants, and related matters (the “Notice”), attached as Exhibit 1 to the Notice Memorandum; (b) the Summary Notice of Proposed Settlement of Direct Purchaser Class Action with the Yazaki and DENSO Defendants, and related matters (the “Summary Notice”), attached as Exhibit 2 to the Notice Memorandum; and (c) the Informational Press Release (“Press Release”), attached as Exhibit 3 to the Notice Memorandum.

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

5. On or before March 4, 2021, the Notice, in substantially the same form as Exhibit 1 to the Notice Memorandum, shall be mailed by first class mail, postage prepaid, to all potential members of the Yazaki and DENSO Settlement Classes identified by Defendants. In addition, a copy of the Notice shall be posted on the Internet at www.autopartsantitrustlitigation.com/FuelSenders, the website dedicated to this litigation.

6. On or before March 15, 2021, Settlement Class Counsel shall cause the Summary Notice, in substantially the same form as Exhibit 2 to the Notice Memorandum, to be published in one edition of *Automotive News*. To supplement the notice program further, the Press Release will be issued nationwide via PR Newswire’s “Auto Wire,” which targets auto industry trade publications.

7. On or before April 9, 2021, Settlement Class Counsel shall file with the Court their motion seeking final approval of the proposed settlements with the Yazaki and DENSO Defendants and approval of a proposed plan of distribution of the Fuel Senders Settlement Fund.

8. All requests for exclusion from either of the Yazaki or DENSO Settlement Classes must be in writing, postmarked no later than April 28, 2021, and must otherwise comply with the requirements set forth in the Notice. Requests for exclusion must be sent to Settlement Class Counsel, counsel for Settling Defendants, and to an address specific to the Fuel Senders Direct Purchaser Antitrust Litigation. The address for each recipient is listed in the Notice.

9. All objections by any member of the Yazaki or DENSO Settlement Classes to either of the proposed settlements or to the proposed plan of distribution, must be in writing, must be filed with the Clerk of Court and postmarked no later than April 28, 2021, and must otherwise comply with the instructions set forth in the Notice.

10. At least ten (10) days before the date fixed by this Court for the Fairness Hearing, Settlement Class Counsel shall file with the Court an affidavit or declaration of the person under whose general direction the mailing and posting of the Notice and publication of the Summary Notice were made, showing that mailing, posting, and publication were made in accordance with this Order.

11. The Court will hold a Fairness Hearing on **June 10, 2021, at 10:30 a.m.**, at the Theodore Levin U.S. Courthouse, 231 West Lafayette Blvd., Detroit, MI, 48226, Courtroom 817 (or such other courtroom as may be assigned for the hearing), to determine whether to approve the proposed Yazaki and DENSO settlements and the proposed plan of distribution of the Fuel Senders Settlement Fund.. Any Settlement Class member who follows the procedure set forth in the Notice may appear and be heard at this hearing. If the Court believes that it is appropriate, the hearing

may be conducted remotely by telephone or other electronic means. If the Court determines to hold the hearing remotely, Co-Lead Settlement Class Counsel shall post that information on the website devoted to the direct purchaser litigation and provide any Settlement Class member that has informed the Court that it intends to participate the information required to remotely participate. The Fairness Hearing may be rescheduled, adjourned or continued, and the courtroom assigned for the hearing may be changed, without further notice to the Settlement Class.

12. Any Settlement Class member who wishes to participate in the distribution of the Fuel Senders Settlement Fund must submit a Claim Form in accordance with the instructions therein, postmarked on or before June 14, 2021.

IT IS SO ORDERED.

Dated: February 16, 2021

s/Sean F. Cox
Sean F. Cox
U. S. District Judge