

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

<hr/>	:	<b>CASE NO. 12-MD-02311</b>
<b>IN RE: AUTOMOTIVE PARTS ANTITRUST</b>	:	<b>HON. SEAN F. COX</b>
<b>LITIGATION</b>	:	
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<b>In Re: STARTERS</b>	:	<b>Case No. 2:13-cv-01101-SFC-RSW</b>
	:	<b>Case No. 2:14-cv-10674-SFC-RSW</b>
	:	<b>Case No. 2:18-cv-11569-SFC-RSW</b>
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<b>THIS RELATES TO:</b>	:	
	:	
	:	
<b>ALL DIRECT PURCHASER ACTIONS</b>	:	
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**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION  
OF NOTICE OF PROPOSED SETTLEMENTS WITH THE  
BOSCH DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court’s Order dated July 29, 2020 (2:13-cv-01101, ECF No. 149) (the “Notice Order”), and Settlement Class members’ response to the notice program. As described more fully below, notice was mailed to 3,238 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. Three requests for exclusion from the Bosch Settlement Class were submitted.

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 settlement, and the requests for attorneys’ fees and litigation costs and expenses, and a service award to the class representative.

**I. DISSEMINATION OF NOTICE TO THE CLASSES**

Pursuant to the Court’s Notice Order, on August 14, 2020 Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the Notice and Claims Administrator retained by Direct Purchaser Plaintiff, mailed 3,238 copies of the Notice of Proposed Settlement of Direct Purchaser Class Action with Bosch 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. A copy of the Notice was (and remains) posted online at [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters), a website dedicated to this litigation. *Id.* at ¶ 9.

Also, in accordance with the Notice Order, the Summary Notice of Proposed Settlement of Direct Purchaser Class Action with Bosch Defendants, and Hearing on Settlement Approval and Related Matters (the “Summary Notice”) was published in *Automotive News* on August 24, 2020. *Id.* at ¶ 8. Additionally, an online banner notice appeared for a 21 day period on [www.AutoNews.com](http://www.AutoNews.com), the digital version of *Automotive News*, and an Informational Press Release was issued nationwide on August 24, 2020 via PR Newswire’s “Auto Wire,” which targets auto industry trade publications. *Id.*

Notice to the Bosch Settlement Class under Fed. R. Civ. P. 23 has, therefore, been provided as ordered by the Court.

**II. ABSENCE OF OBJECTIONS TO THE PROPOSED SETTLEMENT, THE PROPOSED DISTRIBUTION PLAN, AND REQUESTS FOR AN AWARD OF ATTORNEYS’ FEES AND EXPENSES AND A SERVICE AWARD**

The Notice advised that any objection to the proposed settlement, the proposed plan for distribution of settlement funds, or Settlement Class Counsel’s requests for an award of attorneys’

fees and reimbursement of litigation costs and expenses, and a service award to the class representative had to be filed with the Clerk by October 5, 2020, with copies mailed to Settlement Class Counsel and to counsel for the Settling Defendant.

As of the date of the filing of this Report, no objection to the proposed settlement, the distribution plan, the fee and expense request or the service award request 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 the Bosch Settlement Class had to be mailed to Settlement Class Counsel and to counsel for the Settling Defendants, postmarked no later than October 5, 2020. As of this date, Settlement Class Counsel have received three requests for exclusion from the proposed Bosch settlement.<sup>1</sup>

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 Settlement with the Bosch Defendants (the "Final Approval Brief") (2:13-cv-01101, ECF No. 151), the proposed settlement, 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 SETTLEMENT AND THE REQUEST FOR AN AWARD OF FEES AND EXPENSES, AND A SERVICE AWARD**

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 3,238 potential Settlement Class members identified by Defendants, and a copy of the Notice was (and remains) posted on-line at [www.autopartsantitrustlitigation.com/starters](http://www.autopartsantitrustlitigation.com/starters). The Summary Notice was published in *Automotive News* on August 24, 2020, 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 period on [www.AutoNews.com](http://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 settlement and the request for attorneys’ fees, reimbursement of litigation costs and expenses, and a service award to the class representative.

#### **V. REQUEST FOR AN AWARD OF ATTORNEYS’ FEES**

As of September 30, 2020, Settlement Class Counsel’s total lodestar, based upon historical rates, was \$2,766,086.50. Taking into account the fees previously awarded for the other four Court approved settlements (MITSUBISHI ELECTRIC, HIAMS, DENSO, and MITSUBA), were the

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<sup>1</sup> The entities that requested exclusion are set forth in Exhibit 2.

Court to award a fee of 30% of the Bosch settlement proceeds of \$1,300,000, the multiplier on Settlement Class Counsel's total lodestar from the inception of the case through September 30, 2020 would be approximately 1.3. This, of course, does not factor in the future time Settlement Class Counsel will be required to put into the administration of the settlement.

**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 funds, and the request for attorneys' fees and reimbursement of litigation costs and expenses.

DATED: October 26, 2020

Respectfully submitted,

/s/David H. Fink

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

**CERTIFICATE OF SERVICE**

I hereby certify that on October 26, 2020, 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  
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# **EXHIBIT 1**



**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: STARTERS	:	2:13-cv-01101-SFC-RSW 2:14-cv-10674-SFC-RSW 2:18-cv-11569-SFC-RSW
THIS RELATES TO: ALL DIRECT PURCHASER ACTIONS	:	

**DECLARATION OF ANGIE BIRDSSELL RE DISSEMINATION OF NOTICE TO THE  
DIRECT PURCHASER BOSCH CLASS**

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 Plaintiff and the Bosch Defendant, as well as the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided by Defendants' counsel, Plaintiff's 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 and Claim Form (“Claim Package”) 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 Claim Package 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](http://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 Claim Package, 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 3,238 names and addresses of potential Class Members.

6. On August 14, 2020, Epiq mailed the Claim Packages by first class mail, postage prepaid, to the 3,238 potential Class Members. A copy of the Claim Package is attached hereto as Exhibit A.

7. As of October 19, 2020, Epiq has received a total of 659 Claim Packages returned by the U.S. Postal Service as undeliverable and has re-mailed 288 Claim Packages to potential Class Members. As of October 19, 2020, there are 178 Claim Packages that remain undeliverable.

#### **PUBLICATION NOTICE**

8. Epiq caused the publication of the Summary Publication Notice in one edition of *Automotive News* on August 24, 2020, 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 August 24, 2020. 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 August 14, 2020, 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/Starters*. The website provides general case information and links to important documents, including the Settlement Agreements, the Notice and Claim Form, and other documents related to the settlements.

10. As of October 19, 2020, there have been 535 views and 196 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 October 5, 2020. As of October 19, 2020, Epiq has received 3 requests for exclusion from the Bosch 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 22nd day of October, 2020 in Portland, Oregon.

  
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Angie Birdsell  
Project Manager, Client Services | Epiq

# EXHIBIT A

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

<b>IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION</b>	<b>CASE NO. 12-MD-02311 HON. SEAN F. COX</b>
<b>In Re: STARTERS</b>	<b>Case No. 2:13-cv-01101-SFC-RSW</b>
<b>THIS RELATES TO:</b>	<b>Case No. 2:14-cv-10674-SFC-RSW</b>
<b>ALL DIRECT PURCHASER ACTIONS</b>	<b>Case No. 2:18-cv-11569-SFC-RSW</b>

**NOTICE**

**NOTICE OF PROPOSED SETTLEMENT OF DIRECT PURCHASER CLASS ACTION WITH BOSCH DEFENDANTS, AND HEARING ON:**

- (1) APPROVAL OF PROPOSED SETTLEMENT;**
- (2) MOTION OF SETTLEMENT CLASS COUNSEL FOR AWARD OF ATTORNEYS’ FEES AND REIMBURSEMENT OF LITIGATION COSTS AND EXPENSES, AND AN INCENTIVE PAYMENT TO THE CLASS REPRESENTATIVE; AND**
- (3) PLAN OF DISTRIBUTION OF THE MITSUBISHI ELECTRIC, HIAMS, DENSO, MITSUBA, AND BOSCH SETTLEMENT PROCEEDS**

**TO:** ALL INDIVIDUALS AND ENTITIES THAT PURCHASED STARTERS 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) A proposed settlement with Robert Bosch GmbH and Robert Bosch LLC (together, “Bosch,” the “Bosch Defendants,” or the “Settling Defendants”);
- (2) Settlement Class Counsel’s motion for an award from the Bosch settlement proceeds of attorneys’ fees and reimbursement of litigation costs and expenses;
- (3) A proposed plan of distribution to Settlement Class members of the proceeds of the Bosch settlement as well as the already-approved settlements with Mitsubishi Electric, HIAMS, DENSO, and Mitsuba and a proposed Claim Form that you may submit to share in the settlement proceeds; and
- (4) The request for an incentive payment to the Class Representative, which would be paid from the Starters Settlement Fund.

This Notice provides information concerning the proposed Bosch settlement, the motion for attorneys’ fees and reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative, and the proposed plan of distribution of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch settlement proceeds. The Notice also advises you of your rights with respect to a Court hearing on these matters.

## BACKGROUND

You were previously notified of the existence of this class action, the nature of the Plaintiff's claims, and settlements in this litigation with Mitsubishi Electric, HIAMS, DENSO, and MITSUBA Defendants totaling \$10,865,004. The Court has granted final approval to each of those settlements.

Plaintiff has now reached a settlement with Bosch for \$1,300,000. The Court has preliminarily approved this settlement and has provisionally certified a Settlement Class with respect to it. When added to the proceeds of the four previously approved settlements, the total of all settlements reached in this case is \$12,165,004, plus accruing interest (the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch settlement proceeds are collectively referred to as the "Starters Settlement Fund").

This litigation and the proposed settlement with Bosch relate solely to Starters 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 "Starters" is defined in each of the settlement agreements, but generally includes electric motors that are used to start internal combustion engines. The proposed settlement does not relate to, and has no effect upon, cases involving any product other than Starters.

If you are a member of the Bosch Settlement Class (defined below), you have the rights and options summarized here:

- You may remain in the Bosch Settlement Class and be eligible to share in the proceeds of, and be bound by the terms of, the Bosch settlement;
- You may exclude yourself from the Bosch Settlement Class, in which case you will **not** be bound by the Bosch settlement and will **not** be eligible to share in the proceeds of the settlement;
- If you remain in the Bosch Settlement Class, you may object to the proposed settlement, to the proposed plan of distribution of the Bosch settlement proceeds, or to Settlement Class Counsel's requests for an award of attorneys' fees and reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative. 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.

With respect to the Mitsubishi Electric, HIAMS, DENSO, and Mitsuba Settlement Classes, you previously received notice of those Settlement Classes and were given an opportunity to opt out. You are bound by whatever decisions you previously made regarding those Settlement Classes. If you previously chose to remain in any of the Mitsubishi Electric, HIAMS, DENSO, or Mitsuba Settlement Classes, you are eligible to share in the proceeds of any settlement in which you elected to participate. You also have the right to object to the proposed plan of distribution of the Starters Settlement Fund, and to the request for an incentive payment to the Class Representative. If you previously chose to opt out of one or more of those Settlement Classes, you are not eligible to share in the proceeds of those Settlement Classes, and you do not have a right to object to the proposed plan of distribution relating to those Settlement Classes.

Any Settlement Class member who wishes to participate in the distribution of the Starters Settlement Fund must complete and submit a copy of the Claim Form on or before November 21, 2020.

## WHO IS IN THE BOSCH SETTLEMENT CLASS?

The Court has provisionally certified a direct purchaser Bosch Settlement Class for the purpose of disseminating notice of the proposed Bosch settlement.

The Bosch Settlement Class is defined as follows:

All individuals and entities who purchased Starters 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 Bosch Settlement Class definition set forth above, the following entities are Defendants: Robert Bosch GmbH; Robert Bosch LLC; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; Denso Corporation; Denso International America, Inc.; Mitsuba Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; and Mitsubishi Electric Automotive America, Inc.

Plaintiff Tiffin Motor Homes, Inc. has been appointed by the Court to serve as “Class Representative” for the Bosch 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 Class.

## **WHAT IS THIS LITIGATION ABOUT?**

In February 2014, Plaintiff filed a class action lawsuit against Defendants on behalf of a class of direct purchasers of Starters, alleging that they conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Starters sold in the United States, in violation of federal antitrust laws. Plaintiff further claims that as a result of the alleged conspiracy, it and other direct purchasers of Starters were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

The Bosch Defendants deny Plaintiff’s allegations and liability and have asserted defenses to Plaintiff’s claims. Bosch has 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 Bosch’s defenses. This settlement, if approved by the Court, will fully resolve Plaintiff’s claims against all defendants in the Starters litigation.

## **WHAT RELIEF DOES THE PROPOSED BOSCH SETTLEMENT PROVIDE?**

Plaintiff, on behalf of the Bosch Settlement Class, entered into a settlement agreement with the Bosch Defendants on April 21, 2020 (the “Bosch Settlement Agreement”), under which the Bosch Defendants have agreed to pay \$1,300,000.

As part of the settlement, the Bosch Defendants have agreed to cooperate with Settlement Class Counsel in the prosecution of claims against any other Defendant, should the need for such cooperation arise.

This Notice is only a summary of the terms of the proposed settlement. The Bosch Settlement Agreement contains other important provisions, including the release of certain claims against the Bosch Defendants (and companies and people affiliated with them). For the complete terms of the settlement, you are referred to the settlement agreement, which is on file with the Clerk of Court and is available on-line at [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters). The proposed settlement must receive final approval by the Court to become effective.

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

## **HOW DO I REMAIN IN THE BOSCH SETTLEMENT CLASS AND WHAT HAPPENS IF I DO?**

If you are a member of the Bosch Settlement Class, as defined above, you will automatically remain in the Settlement Class unless you elect to be excluded. If you wish to remain in the Bosch 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. If you remain in the Bosch Settlement Class and the proposed settlement 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.



## HOW WILL THE SETTLEMENT FUNDS BE DISTRIBUTED?

The Starters Settlement Fund, with accrued interest, less any amounts approved by the Court for payment of attorneys' fees, litigation and settlement administration costs and expenses, and an incentive payment to the Class Representative (the "Net Starters Settlement Fund"), will be distributed among the members of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba, and Bosch Settlement Classes who complete and timely submit a copy of the Claim Form that is included with this Notice, **postmarked on or before November 21, 2020**.

The Net Starters Settlement Fund will be distributed pro rata to all Claimants based upon their **direct** purchases in the United States from Defendants listed in the "Eligibility" section of the Claim Form (and depending upon the settlement, their parents, subsidiaries, affiliates, and joint ventures) during the applicable Class Period. The distribution will take place as soon as practicable after review, determination, and audit of the Claim Forms by the Settlement Administrator and approval by the Court of the Settlement Administrator's recommendations as to the amounts to be paid to the Claimants.

**Do not dispose of any document that reflects your purchases of Starters in the United States directly from any Defendant (or its parents, subsidiaries, affiliates, or joint ventures) during the period from January 1, 2000 through March 12, 2018. You may need those documents to complete and substantiate your Claim Form, which will be subject to inquiry and verification.**

## WHAT IF I DO NOT WANT TO REMAIN IN THE BOSCH SETTLEMENT CLASS?

You may exclude yourself from the Bosch Settlement Class. If you wish to exclude yourself from the Bosch Settlement Class, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than October 5, 2020**, to Settlement Class Counsel, and to counsel for Bosch, at the addresses set forth below, and to the following address:

Starters Direct Purchaser Antitrust Litigation  
P.O. Box 3076  
Portland, OR 97208-3076

Your request for exclusion must state that you are seeking exclusion from the Bosch Settlement Class 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, subsidiary, affiliate, or joint venture) from which you purchased Starters during the Class Period, the Starters purchased during the Class Period, and the dollar amount of your purchases. If you validly exclude yourself from the Bosch Settlement Class, you will not be bound by any decision concerning the Bosch Settlement Class, and you may pursue individually any claims you may have against Bosch (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to Bosch.

## REQUEST FOR ATTORNEYS' FEES AND EXPENSES AND AN INCENTIVE PAYMENT

Settlement Class Counsel, 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 thirty percent (30%) of the Bosch settlement proceeds.

Settlement Class Counsel will also request an incentive payment from the Bosch Settlement Fund to Plaintiff Tiffin Motor Homes, Inc., which was appointed by the Court to serve as Class Representative for the Settlement Class, in the amount of \$25,000.

The application for attorneys' fees and litigation costs and expenses and an incentive payment will be filed on or before September 14, 2020. If you remain a member of the Bosch Settlement Class and you wish to object to the request for fees and expenses or for an incentive payment to the Class Representative, or if you previously chose to remain in any of the Mitsubishi Electric, HIAMS, DENSO, or Mitsuba Settlement Classes and you wish to object to the request for an incentive payment, you must do so in writing in accordance with the procedures for objections set forth below. If you do not oppose any of these requests, 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 SETTLEMENT?**

The Court will hold a hearing on November 5, 2020, at 2:00 p.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 817 (or such other courtroom as may be assigned for the hearing), to determine whether to approve: the proposed Bosch settlement; Settlement Class Counsel's request for an award of attorneys' fees and reimbursement of litigation costs and expenses; the proposed plan of distribution of the Starters Settlement Fund; and the request for an incentive payment to the Class Representative. 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, Settlement Class Counsel shall post that information on the website devoted to the direct purchaser litigation ([www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters)) and provide any Settlement Class member that has informed the Court that it intends to participate at the hearing the information required to do so remotely. 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 Bosch Settlement Class, you have the right to object to the proposed settlement, and to Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses. If you remain in the Bosch Settlement Class, or if you previously chose to remain in any of the Mitsubishi Electric, HIAMS, DENSO, or Mitsuba Settlement Classes you also have the right to object to the proposed plan of distribution of the Starters Settlement Fund, and to the request for an incentive payment to the Class Representative. Any such objection must be in writing, include the caption of this litigation, be signed, and must be **filed no later than October 5, 2020**, 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 October 5, 2020**:

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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  
PRÉTI, 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 Class*

John Roberti  
Derek Jackson  
ALLEN & OVERY LLP  
1101 New York Avenue NW  
Washington, D.C. 20005  
Telephone: (202) 683-3800

*Counsel for the Bosch Defendants*

If you do not object to the proposed settlement, or to the other matters set forth above, you do not need to appear at the hearing or take any other action at this time. **You must, however, complete and timely submit a Claim Form if you wish to share in the distribution of the Starters Settlement Fund.**

**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: Starters Direct Purchaser Antitrust Litigation, P.O. Box 3076, Portland, OR 97208-3076.

The Settlement Agreement, Complaint, 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 Agreement and certain other documents relevant to this litigation are available at [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters). Questions concerning the proposed Bosch settlement, this Notice, or the litigation may be directed to any of the Co-Lead Settlement Class Counsel identified above.

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

Dated: August 14, 2020

BY ORDER OF:

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

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

<b>IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION</b>	<b>CASE NO. 12-MD-02311 HON. SEAN F. COX</b>
<b>In Re: STARTERS</b>	<b>Case No. 2:13-cv-01101-SFC-RSW</b>
<b>THIS RELATES TO:  ALL DIRECT PURCHASER ACTIONS</b>	<b>Case No. 2:14-cv-10674-SFC-RSW  Case No. 2:18-cv-11569-SFC-RSW</b>

**IMPORTANT NOTICE TO PURCHASERS OF STARTERS  
PLEASE READ THIS ENTIRE DOCUMENT CAREFULLY**

**YOU MUST COMPLETE AND SUBMIT A CLAIM FORM, POSTMARKED ON OR BEFORE NOVEMBER 21, 2020, TO BE ELIGIBLE TO SHARE IN THE DISTRIBUTION OF THE PROCEEDS OF A SETTLEMENT WITH THE MITSUBISHI ELECTRIC, HIAMS, DENSO, MITSUBA, AND BOSCH DEFENDANTS**

**INSTRUCTIONS FOR COMPLETING A CLAIM FORM**

If you are a **direct** purchaser of Starters, (and you have remained in any or all of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch Settlement Classes), you may be entitled to share in the distribution of the proceeds of settlements with those Defendants (the “Settlement Fund”). To receive your share of the Settlement Fund, you or a person you have authorized to act on your behalf must submit a timely and valid Claim Form in accordance with the instructions set forth herein.

Please note that if you have chosen to be excluded from any of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba, and Bosch Settlement Classes you may not participate in the distribution of the settlement funds attributable to the settlement with that Defendant.

**Eligibility:** You are eligible to submit a claim seeking to share in the distribution of the Settlement Fund if, during the period from January 1, 2000 through March 12, 2018 (the “Class Period”), you purchased Starters in the United States **directly** from one or more of the following companies (including their parents (for the DENSO Settlement Class), subsidiaries or affiliates (for the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch Settlement Classes) and joint ventures (for the Mitsubishi Electric, DENSO, and Mitsuba Settlement Classes): (1) Robert Bosch GmbH; (2) Robert Bosch LLC; (3) Hitachi Automotive Systems, Ltd.; (4) Hitachi Automotive Systems Americas, Inc.; (5) Hitachi, Ltd.; (6) DENSO Corporation; (7) DENSO International America, Inc.; (8) Mitsuba Corporation; (9) American Mitsuba Corporation; (10) Mitsubishi Electric Corporation; (11) Mitsubishi Electric Automotive America, Inc.; or (12) Nikko Electric Indus.

The term “Starters” refers to electric motors that are used to start internal combustion engines.

**Submission of Claim:** Each Claim Form must be signed and verified by the claimant or a person authorized to act on behalf of the claimant, and must be **postmarked no later than November 21, 2020**. Claim Forms should be addressed to:

Settlement Administrator  
Starters Direct Purchaser Antitrust Litigation  
P.O. Box 3076  
Portland, OR 97208-3076

Do **not** send your Claim Form to the Court or to any of the parties or their counsel. If you receive multiple copies of the Claim Form, complete only one Claim Form covering all of your qualifying purchases. Do not submit more than one claim, and do not submit duplicate claims.

Please note that it will take a significant amount of time to process accurately all of the Claim Forms and to administer the Settlement Fund. This work will be completed as promptly as time permits, given the need to review each Claim Form. Thank you for your patience.

**Photocopies of Form:** A claim may be submitted using a photocopy of the Claim Form. Other forms, or altered versions of the Claim Form, will not be accepted. Additional copies of the Claim Form may be requested from the Settlement Administrator or obtained at the settlement website [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters).

**Completion and Support of Claim:** Please type or neatly print all requested information. Failure to complete all parts of the Claim Form may result in denial of the claim, delay its processing, or otherwise adversely affect the claim. All information submitted in a Claim Form is subject to further inquiry and verification. The Settlement Administrator may ask you to provide supporting information. Failure to provide requested information also might delay, adversely affect, or result in denial of the claim.

The Claim Form asks for certain information relating to your purchases of Starters, a description of available documentation that supports your claimed purchases, and summary totals of your purchases from each Defendant and for each year during the class period.

**ONLY INCLUDE IN YOUR CLAIM FORM PURCHASES OF STARTERS  
IN THE UNITED STATES *DIRECTLY* FROM ONE OR MORE OF THE COMPANIES LISTED ABOVE  
UNDER THE “ELIGIBILITY” HEADING DURING THE PERIOD  
FROM JANUARY 1, 2000 THROUGH MARCH 12, 2018.**

**INDIRECT PURCHASES ARE NOT ELIGIBLE.**

**Schedule of Purchases: General Worksheet:** Please fill out the Schedule of Purchases: General Worksheet with the company names, the quantity of products purchased, and purchase totals for each year of the Class Period (January 1, 2000 through March 12, 2018) in which you directly purchased Starters in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Starters.com](mailto:info@AutoPartsAntitrustLitigation-Starters.com), or by calling 1-877-670-0867.

**Claims of Separate Entities:** Each corporation, trust, or other business entity making a claim must submit its claim on a separate Claim Form.

**Taxpayer Identification Number:** A Claim Form is not complete without the federal taxpayer identification number of the claimant.

**Keep a copy:** You should keep a copy of your completed Claim Form for your records. You should also retain all of your documents and records relating to **direct** purchases of Starters in the United States from any of the listed companies during the period from January 1, 2000 through March 12, 2018. As part of the claims administration process, you may be required to verify certain information about your Starters purchases, such as the quantity of product(s) purchased, the type of product(s) purchased, the dollar amount(s), the date(s) of the purchases, and the company(ies) from which you **directly** purchased the Starters. You may be asked to submit purchase records to verify your claim.

**Confirmation of Receipt of Claim:** The receipt of Claim Forms will **not** be confirmed or acknowledged automatically by the Settlement Administrator. If you wish to have confirmation that your Claim Form has been received, send it by certified mail, return receipt requested.

**Assistance:** If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at: Starters Direct Purchaser Antitrust Litigation, P.O. Box 3076, Portland, OR 97208-3076, via email at [info@AutoPartsAntitrustLitigation-Starters.com](mailto:info@AutoPartsAntitrustLitigation-Starters.com), or by calling 1-877-670-0867. You may also contact your own attorney or other person to assist you, at your own expense.

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**NOTICE REGARDING SOLICITATIONS FROM CLAIMS ASSISTANCE COMPANIES: THERE ARE COMPANIES THAT CONTACT CLASS MEMBERS TO OFFER ASSISTANCE IN FILING A CLAIM IN EXCHANGE FOR A PORTION OF ANY SETTLEMENT FUNDS THE CLASS MEMBER MAY RECOVER. THESE COMPANIES ARE NOT AFFILIATED WITH PLAINTIFF OR DEFENDANTS OR THEIR COUNSEL, AND YOU DO NOT NEED TO USE THEM TO FILE A CLAIM.**

**CLAIM FORM**

**I. IDENTITY OF CLAIMANT**

Please indicate whether the person filing this claim is a direct filer or a third party filer (select only one):

- Direct Filer** (you, or your company, made the direct purchases of Starters during the Class Period)
- Third Party Filer** (you, or your company, are authorized to file this claim on behalf of the claimant listed below)

If you selected “**Direct Filer**,” please indicate your (the claimant’s) name and contact information in Section II (“Claimant Information”). Then, skip Section III, and proceed directly to Section IV.

If you selected “**Third Party**,” please indicate the claimant’s name and contact information in Section II (“Claimant Information”). Then, please provide your filer information in Section III (“Third Party Filer Information”), before proceeding to Section IV. Please note: If you selected “**Third Party Filer**,” correspondences concerning this claim will be directed to the contact person provided in “Third Party Filer Information.”

**II. CLAIMANT INFORMATION**

Claimant Name (Individual or Entity):

[Grid for Claimant Name]

Address 1:

[Grid for Address 1]

Address 2:

[Grid for Address 2]

City:

[Grid for City]

State:

[Grid for State]

ZIP Code:

[Grid for ZIP Code]

Country:

[Grid for Country]

Contact Person First Name:

[Grid for Contact Person First Name]

MI:

[Grid for MI]

Last Name:

[Grid for Last Name]

Contact Person Email Address:

[Grid for Contact Person Email Address]

Contact Person Phone Number:

[Grid for Contact Person Phone Number]

Claimant is a (Check one):

- Corporation
- Individual
- Trustee in Bankruptcy
- Partnership
- Other

If the claimant on whose behalf this claim is being submitted acquired the rights that are the basis of their claim from some other person or entity (as assignee, transferee, successor or otherwise), please check the box below and attach copies of legal documents that support the acquisition of your claim.

- This claim is based upon an assignment or transfer and I have attached copies of supporting legal documents.

**PLEASE PROMPTLY NOTIFY THE SETTLEMENT ADMINISTRATOR OF ANY CHANGE IN THE INFORMATION SET FORTH ABOVE.**

**III. THIRD PARTY FILER INFORMATION**

Only complete this section if you selected “Third Party Filer” at the start of Section I. Please note: As a Third Party Filer, you are required to provide supporting documents demonstrating the authorization to file on behalf of the claimant. If no documentation is provided upon submission of this claim, the Settlement Administrator will request the documentation prior to completion of processing.

Filer Entity (if applicable):

[Grid of 25 empty boxes for Filer Entity name]

Address 1:

[Grid of 25 empty boxes for Address 1]

Address 2:

[Grid of 25 empty boxes for Address 2]

City:

[Grid of 25 empty boxes for City]

State:

[Grid of 5 empty boxes for State]

ZIP Code:

[Grid of 5 empty boxes for ZIP Code]

Country:

[Grid of 25 empty boxes for Country]

Contact Person First Name:

[Grid of 25 empty boxes for Contact Person First Name]

MI:

[Grid of 2 empty boxes for MI]

Last Name:

[Grid of 25 empty boxes for Last Name]

Contact Person Email Address:

[Grid of 30 empty boxes for Contact Person Email Address]

Contact Person Phone Number:

[Grid of 3 empty boxes] - [Grid of 3 empty boxes] - [Grid of 4 empty boxes]

**PLEASE PROMPTLY NOTIFY THE SETTLEMENT ADMINISTRATOR OF ANY CHANGE IN THE INFORMATION SET FORTH ABOVE.**

**IV. PURCHASES**

On the attached Schedule of Purchases: General Worksheet, list the total amount of **direct** purchases of Starters in the United States from each company listed in the “Eligibility” section above for each year during the period from January 1, 2000 through March 12, 2018.

**The purchase amounts must be the net amounts paid after deducting any discounts, rebates, price reductions, taxes, or delivery and freight charges, and must be provided in United States dollar (USD) currency. Purchases from companies that are not listed above, or are in non-USD currency, should not be included.**

When records are available to allow you to calculate and document the dollar amount of your purchases, you must base your purchase information on these records.

When records are not available, you may submit purchase information based on estimates. Estimates can be based on extrapolation from similar circumstances in analogous contexts in the same year (for which you have documentation), or extrapolation from the same or nearly the same circumstances, but in other years (for which you have documentation), or from reports of actual or estimated vehicle production and your records or estimates of the value of Starters content per vehicle. For example, if you have no records allowing you to calculate your purchases in 2004, you may calculate those purchases by using available records dated as close to that year as possible (e.g., 2003 or 2005), adjusting for appropriate volume differences and any inflationary unit costs.



Please note that your claim is subject to audit by the Settlement Administrator and you may, at a later time, be required to provide copies of some or all of the underlying documentation supporting your claim. If you submit your purchase information based on estimates, or sales data and trends, you may be required to explain how you calculated the estimated purchases, and you may be required to provide the documents you used as a basis for your estimates. Accordingly, you should retain your documentation until this litigation has been concluded and the claims review process has been completed.

Here, provide a brief description of the documents (e.g., invoices, purchase journals, accounts payable journals, etc.) or estimation methods used to calculate your claimed purchases:

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**FAILURE TO COMPLY WITH THE ABOVE INSTRUCTIONS REGARDING PURCHASES MAY RESULT IN A DELAY PROCESSING YOUR CLAIM.**

**V. EXCLUSION FROM SETTLEMENT CLASS**

Identify the Settlement Class(es), if any, from which you excluded yourself. If you have not excluded yourself from any of the Settlement Classes, mark "None" and proceed to Section VI:

- Bosch
- Mitsubishi Electric
- HIAMS
- DENSO
- Mitsuba
- None

Please note, this does not constitute a formal request for exclusion. The deadlines to request exclusion from the Mitsubishi Electric, HIAMS, MITSUBA, and DENSO settlements have already passed. In order to formally request exclusion from the Bosch Settlement Class, if you have not already done so, please refer to the instructions provided in the Notice of Proposed Settlement with Bosch Defendants.



# VI. SUBSTITUTE FORM W-9 AND CERTIFICATION

Each claimant must provide the following tax information, required by the IRS. If the correct information is not provided, a portion of any payment that the claimant may be entitled to receive from the Settlement Fund may be withheld for tax purposes.

Claimant’s federal taxpayer identification number is:

-  OR  -  -

Employer Identification Number (for corporations, trusts, etc.)      Social Security Number (for individuals)

Business Name **OR** Name of taxpayer whose identification number is written above:

I certify that the above federal taxpayer identification number is correct, that the taxpayer is **NOT** subject to backup withholding under the provisions of Section 3406(a)(1)(C) of the Internal Revenue Code, that the taxpayer is a U.S. person or entity, and that the taxpayer is exempt from FATCA reporting.

NOTE: If you have been notified by the IRS that you are subject to backup withholding, please strike out the word “NOT” in the previous sentence. Instructions regarding IRS Form W-9 are available at the Internal Revenue Service website at <http://www.irs.gov>.

### THE INTERNAL REVENUE SERVICE DOES NOT REQUIRE YOUR CONSENT TO ANY PROVISION OF THIS DOCUMENT OTHER THAN THE CERTIFICATIONS REQUIRED TO AVOID BACKUP WITHHOLDING.

I, \_\_\_\_\_, declare under penalty of perjury that the information contained in this Claim Form is true and correct to the best of my knowledge and belief, that I am authorized to sign and submit this claim on behalf of the claimant, that the specific purchases of Starters listed were made by the claimant **directly** from the companies listed, that the claimant is a member of one or more of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba, and Bosch Settlement Classes and has not requested exclusion from all of those Settlement Classes, that this claim is the only claim being submitted by the claimant, that the claimant does not know of any other claim being submitted for the same purchases, that the claimant has not transferred or assigned its claims, and that I have read the accompanying Instructions and the Notice of Proposed Settlement with the Bosch Defendants. Claimant submits to the exclusive jurisdiction of the United States District Court for the Eastern District of Michigan for the purpose of investigation or discovery (if necessary) with respect to this claim and any proceeding or dispute arising out of or relating to this claim. The filing of a false claim is a violation of the criminal laws of the United States and may subject the violator to criminal penalties.

Date:  -  -   
MM DD YYYY

Signature

Printed Name

Title of position (If claimant is not an individual)

**SCHEDULE OF PURCHASES: GENERAL WORKSHEET**

Please fill out the charts on both sides (front and back) of the Schedule of Purchases: General Worksheet, listing the quantity of products purchased and purchase totals for each Defendant (including their parents, subsidiaries, affiliates and joint ventures) and year of the Class Period (January 1, 2000 through March 12, 2018) in which you directly purchased Starters in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Starters.com](mailto:info@AutoPartsAntitrustLitigation-Starters.com), or by calling 1-877-670-0867.

Year Purchased	Bosch Defendants <sup>1</sup>		Mitsubishi Electric Defendants <sup>2</sup>		HIAMS Defendants <sup>3</sup>	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2000		(\$)		(\$)		(\$)
2001		(\$)		(\$)		(\$)
2002		(\$)		(\$)		(\$)
2003		(\$)		(\$)		(\$)
2004		(\$)		(\$)		(\$)
2005		(\$)		(\$)		(\$)
2006		(\$)		(\$)		(\$)
2007		(\$)		(\$)		(\$)
2008		(\$)		(\$)		(\$)

List the quantity of products purchased and **dollar amount** of direct purchases of Starters from each of the Defendants for each year during the class period. The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery and freight charges. **INDIRECT PURCHASES ARE NOT ELIGIBLE.**

<sup>1</sup> Robert Bosch GmbH and Robert Bosch LLC.

<sup>2</sup> Mitsubishi Electric Corporation, Mitsubishi Electric US Holdings, Inc., and Mitsubishi Electric Automotive America, Inc.

<sup>3</sup> Hitachi Automotive Systems, Ltd., Hitachi, Ltd., and Hitachi Automotive Systems Americas, Inc.

Year Purchased (cont.)	Bosch Defendants		Mitsubishi Electric Defendants		HIAMS Defendants	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2009		(\$)		(\$)		(\$)
2010		(\$)		(\$)		(\$)
2011		(\$)		(\$)		(\$)
2012		(\$)		(\$)		(\$)
2013		(\$)		(\$)		(\$)
2014		(\$)		(\$)		(\$)
2015		(\$)		(\$)		(\$)
2016		(\$)		(\$)		(\$)
2017		(\$)		(\$)		(\$)
01/01/2018 through 03/12/2018		(\$)		(\$)		(\$)
<b>TOTAL AMOUNT PURCHASED (Required)</b>						

**SCHEDULE OF PURCHASES: GENERAL WORKSHEET**

Please fill out the charts on both sides (front and back) of the Schedule of Purchases: General Worksheet, listing the quantity of products purchased and purchase totals for each Defendant (including their parents, subsidiaries, affiliates and joint ventures) and year of the Class Period (January 1, 2000 through March 12, 2018) in which you directly purchased Starters in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Starters.com](mailto:info@AutoPartsAntitrustLitigation-Starters.com), or by calling 1-877-670-0867.

Year Purchased	DENSO Defendants <sup>4</sup>		Mitsuba Defendants <sup>5</sup>		Nikko Electric Indus. Defendants <sup>6</sup>	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2000		(\$)		(\$)		(\$)
2001		(\$)		(\$)		(\$)
2002		(\$)		(\$)		(\$)
2003		(\$)		(\$)		(\$)
2004		(\$)		(\$)		(\$)
2005		(\$)		(\$)		(\$)
2006		(\$)		(\$)		(\$)
2007		(\$)		(\$)		(\$)
2008		(\$)		(\$)		(\$)

List the quantity of products purchased and dollar amount of **direct purchases** of Starters from each of the Defendants for each year during the class period. The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery and freight charges. **INDIRECT PURCHASES ARE NOT ELIGIBLE.**

<sup>4</sup> DENSO Corporation and DENSO International America, Inc. In addition, DENSO International America, Inc.'s subsidiaries include, among others, DENSO Products & Services Americas, Inc. (f/k/a DENSO Sales California, Inc.).

<sup>5</sup> MITSUBA Corporation and American Mitsuba Corporation.

<sup>6</sup> Nikko Electric Indus.

Year Purchased (cont.)	DENSO Defendants		Mitsuba Defendants		Nikko Electric Indus. Defendants	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2009		(\$)		(\$)		(\$)
2010		(\$)		(\$)		(\$)
2011		(\$)		(\$)		(\$)
2012		(\$)		(\$)		(\$)
2013		(\$)		(\$)		(\$)
2014		(\$)		(\$)		(\$)
2015		(\$)		(\$)		(\$)
2016		(\$)		(\$)		(\$)
2017		(\$)		(\$)		(\$)
01/1/2018 through 03/12/2018		(\$)		(\$)		(\$)
<b>TOTAL AMOUNT PURCHASED (Required)</b>						

# EXHIBIT B

## CONFIRMATION OF PUBLICATION

IN THE MATTER OF: *Auto Parts – Starters*

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:

***8.24.2020 – Automotive News***

***8.24.2020 – PR Newswire’s Auto Wire***

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

***8.24.2020 – 9.13.2020 – Automotive News (AutoNews.com)***

X *Kathleen Komraus*

\_\_\_\_\_  
(Signature)

Media & Design Manager

\_\_\_\_\_  
(Title)



# Del. dealership takes advantage of the shutdown

## Cross-training employees, improving digital experience among team's tasks

Whitney McDonald  
whitney.mcdonald@crain.com

When a stay-at-home order from the state of Delaware forced customers out of Audi Wilmington's showroom in March, General Manager Thomas Mihok decided to make the most of the quiet dealership.

"We need to get caught up," Mihok told *Automotive News*, recalling his thoughts during those early days of the coronavirus crisis. If "people are sitting on their phones, people aren't going to go back to work for months, if we're going to be here working, we might as well make everything look pretty and have the best website out there."

### BEST PRACTICES

#### IN A TIME OF CRISIS

So on a portable easel pad in his office, Mihok wrote, "COVID Catch-Up." He looked at it every day, creating a list of tasks around the dealership that employees could tackle during the downtime.

The list consisted of deep cleaning, organizing, photographing the store, uploading new- and used-vehicle inventory information to the dealership's website, rewriting templates to use in the business development center and training employees in customer service.

Then employees and dealership managers worked as a team to check off the tasks.

"With all of this time to kill, let's do some housekeeping," Mihok said.

#### Team training

Sam Brandes, the dealership's used-vehicle manager, said one key component of the COVID Catch-Up effort was training employees to be multifaceted.

"One thing we've all adapted to is doing multiple jobs," Brandes said.

Managers are learning how to do finance, salespeople are learning how to handle finance paperwork on their deals, and employees are jumping in to clean vehicles and act as service valets, he said.

When training employees, Mihok asked himself, "How do you provide information to a customer without offending them?"

His idea was to think like a customer. Mihok secretly shopped the dealership website to experience the online chats and digital retailing process from the other side of the transaction.

"In our industry, we do a horrible job of looking at ourselves from the consumer point of view," he said. "You have to stop and look at your website and see what consumers are seeing."

With what he learned, Mihok aimed to make the digital experience for customers as easy as possible. He coached employees to treat every customer with warmth, as if they were family members rather than



#### Catching up

Audi Wilmington implemented a COVID Catch-Up strategy during the pandemic to focus on completing overdue tasks, improving organization and providing extra training to dealership employees.

Tell us about your own dealership best practice. Go to [autonews.com/BPsubmit](https://autonews.com/BPsubmit).

just a person buying a car. He also changed the BDC's automated templates and simplified them, going from 100 templates to 16.

"We really trained on how to handle customers nowadays," Mihok said.

#### Staying caught up

When 40 vehicles were delivered to the dealership during the slow period, it was important not to fall behind on new-car photos and inventory uploads to the website. Managers had images taken and uploaded within a week and a half of delivery, faster than they would have been able to before the initiative.

Managers also came up with a strategy to stay caught up even after business picked back up — go into each day with a game plan.

"Being organized allows us to now focus on the customer to make sure every single person gets the attention they deserve," Brandes said.

It is also important that employees spend their time wisely, he said. For example, sales reps should consider where leads are coming from when they decide which ones to aggressively chase. If the customer inquiry is from five states away, it probably doesn't warrant the same level of follow-up as a query coming from the local market.

Audi Wilmington's catch-up efforts have helped make the workday more efficient, allowing more time to focus on the customer experience and adding flexibility for employees, Mihok said.

The dealership, which sold 498 new and 383 used vehicles in 2019, has been able to let employees come in late or leave early because the day's work is completed sooner.

Brandes said, "The work force flexibility has definitely improved the work morale." **AN**



"If we're going to be here working, we might as well make everything look pretty and have the best website out there," Thomas Mihok, Audi Wilmington general manager, said of his to-do list, which included a deep cleaning of the showroom, far left.

#### LEGAL NOTICE

### IF YOU PURCHASED STARTERS 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 SETTLEMENTS WITH THE MITSUBISHI ELECTRIC, HIAMS, DENSO, MITSUBA, AND BOSCH DEFENDANTS

You were previously notified of the existence of this class action, *In re Automotive Parts Antitrust Litigation*, Master File No.12-md-02311, 2:13-cv-01101 (E.D. Mich.), the nature of the Plaintiff's claims, and settlements with the Mitsubishi Electric, HIAMS, DENSO, and Mitsuba Defendants totaling \$10,865,004. The Court has granted final approval to each of those settlements.

Plaintiff has now reached a settlement with the Bosch Defendants for \$1,300,000. When added to the previously approved settlements, the total of all five settlements in this case is \$12,165,004, plus accruing interest (the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch settlement proceeds are collectively referred to as the "Starters Settlement Fund").

Plaintiff is presently seeking final approval of the Bosch settlement and approval of a proposed plan of distribution of the Starters Settlement Fund to members of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba and Bosch Settlement Classes. Additionally, Settlement Class Counsel have requested that the Court award attorneys' fees and litigation costs and expenses from the Bosch settlement proceeds, and an incentive payment to the Class Representative, which would be paid from the Starters Settlement Fund.

**What is the lawsuit about?** This class action is part of coordinated legal proceedings involving Starters 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.

"Starters" includes electric motors that are used to start internal combustion engines. Direct Purchaser Plaintiff alleges that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Starters 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 Starters were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

The Bosch Defendants deny Plaintiff's allegations and have agreed to settle this matter to avoid the expense and burden of further litigation.

**Who is included?** The Court has preliminarily approved the proposed Bosch settlement and has provisionally certified the Bosch Settlement Class, which is composed of purchasers of Starters in the United States **directly** from any of the following entities (or their subsidiaries or affiliates) during the period from January 1, 2000 through March 12, 2018: Robert Bosch GmbH; Robert Bosch LLC; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; Denso Corporation; Denso International America, Inc.; Mitsuba Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; and Mitsubishi Electric Automotive America, Inc.

Plaintiff Tiffin Motor Homes, Inc. has been appointed by the Court to serve as "Class Representative" for the Bosch Settlement Class. 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 "Co-Lead Settlement Class Counsel" for the Settlement Class.

A Notice of Proposed Settlement and Claim Form (the "Notice") was mailed to potential Mitsubishi Electric, HIAMS, DENSO, Mitsuba, and Bosch Settlement Class members on or about August 14, 2020. The Notice describes in more detail the litigation and options available to members of the Settlement Class with respect to the Bosch settlement, the proposed plan of distribution of the Bosch Settlement Fund, HIAMS Settlement Fund, Mitsubishi Electric Settlement Fund, DENSO Settlement Fund, and Mitsuba Settlement Fund, and the requests for an award of attorneys' fees and litigation costs and expenses, and an incentive payment to the Class Representative. If you did not receive the Notice, you may obtain a copy on the internet at [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters), or by calling or writing to any of the following Co-Lead 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 does the Bosch settlement provide?** The Bosch Defendants have agreed to pay a total of \$1,300,000 to settle the Class Members' claims against them. As part of their settlement, the Bosch Defendants have agreed to cooperate with Co-Lead Settlement Class Counsel in the prosecution of claims against any other Defendant, should the need for such cooperation arise.

**Your rights may be affected.** If you are a member of the Bosch Settlement Class, you will automatically remain a member of the Settlement Class unless you elect to be excluded. If you wish to remain in the Bosch 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.

If you wish to exclude yourself from the Bosch Settlement Class, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than October 5, 2020**, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from the Bosch Settlement Class, you will not be bound by any decision concerning the settlement class and you can pursue individually any claims you may have against Bosch (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to Bosch.

If you remain a member of the Bosch Settlement Class, you have the right to object to the proposed settlement, and to Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses. If you remain in the Bosch Settlement Class, or if you previously chose to remain in any of the Mitsubishi Electric, HIAMS, DENSO, or Mitsuba Settlement Classes, you also have the right to object to the proposed plan of distribution of the Starters Settlement Fund, and to the request for an incentive payment to the Class Representative, by following the procedures set forth in the Notice. **Your objection must be filed no later than October 5, 2020.**

The Court has scheduled a hearing on November 5, 2020, to consider whether to approve: the proposed Bosch settlement; Settlement Class Counsel's request for an award from the Bosch settlement proceeds of attorneys' fees and litigation costs and expenses; the proposed plan of distribution of the Starters Settlement Fund; and the request for an incentive payment to the Class Representative. 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, Settlement Class Counsel will post that information on the website devoted to the direct purchaser litigation ([www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters)) and provide any class member that has informed the Court that it intends to participate the information required to do so remotely. The hearing may be continued without further notice to you.

If you believe you are a member of any of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba or Bosch Settlement Classes, you are urged to obtain a copy of the Notice, which explains your rights regarding those settlements and related matters.

**You must submit a claim form to share in the settlement proceeds. In order to share in the proceeds of any of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba, or Bosch settlements, however, you must complete and timely submit a copy of the Claim Form that was mailed to potential Settlement Class members along with the Notice, postmarked on or before November 21, 2020.**

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: August 24, 2020

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



# Settlements Reached with Starters Manufacturers in Price Fixing Class Action Lawsuit

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NEWS PROVIDED BY

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

Aug 24, 2020, 08:00 ET

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DETROIT, Aug. 24, 2020 /PRNewswire/ -- Freed Kanner London & Millen LLC; Kohn, Swift & Graf, P.C.; Preti, Flaherty, Beliveau & Pachios, LLP; and Spector Roseman & Kodroff, P.C. ("Co-Lead 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 a proposed class action settlement with Robert Bosch GmbH and Robert Bosch LLC (together, "Bosch" or "Bosch Defendants"), in the amount of \$1,300,000, and the proposed distribution of the proceeds of that settlement and prior settlements with the Mitsubishi Electric, HIAMS, DENSO, and Mitsuba Defendants (the proceeds of these five settlement funds are referred to collectively to as the "Starters Settlement Fund"). The lawsuit claims that Defendants conspired to suppress and eliminate competition for Starters by agreeing to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Starters sold in the United States, in violation of federal antitrust laws.

The settlement affects those who purchased Starters in the United States from January 1, 2000 through March 12, 2018, directly from any of the following entities (or depending on the specific settlement agreements, their parents, subsidiaries, affiliates, or joint ventures): Robert Bosch GmbH; Robert Bosch LLC; Hitachi Automotive Systems, Ltd.; Hitachi Automotive Systems Americas, Inc.; Hitachi, Ltd.; DENSO Corporation; DENSO International America, Inc.; Mitsuba Corporation; American Mitsuba Corporation; Mitsubishi Electric Corporation; and Mitsubishi Electric Automotive America, Inc.

A hearing will be held on November 5, 2020, at 2:00 p.m., before the Honorable Sean F. Cox, United States District Judge, at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 817 (or such other courtroom as may be assigned for the hearing), for the purpose of determining whether to approve: (1) the proposed settlement with the Bosch Defendants; (2) Settlement Class Counsel's request for an award of attorneys' fees and litigation costs and expenses from the Bosch settlement proceeds; (3) the proposed plan of distribution of the Starters Settlement Fund; and (4) an incentive payment to the Class Representative.

A Notice of Proposed Settlements (the "Notice") was mailed to potential Settlement Class members on or about August 14, 2020. The Notice describes in more detail the litigation and options available to Bosch Settlement Class Members with respect to the Bosch settlement. The Notice also explains the options available to members of the Mitsubishi Electric, HIAMS, DENSO and Mitsuba Settlement Classes. The Notice and other important documents related to the settlements can be accessed at [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters), or by calling 1-877-670-0867 or writing

Case 2:13-cv-01101-SFG-RSW-EGF No. 154-1 filed 10/26/20 PageID 2456 Page 27 of 29  
to Starters Direct Purchaser Antitrust Litigation, P.O. Box 5076, Portland, OR 97208-5076. Those who believe they may be a member of the Mitsubishi Electric, HIAMS, DENSO, Mitsuba, or Bosch Settlement Classes, are urged to obtain a copy of the Notice.

URL: [www.AutoPartsAntitrustLitigation.com/Starters](http://www.AutoPartsAntitrustLitigation.com/Starters)

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

#### Related Links

<http://www.AutoPartsAntitrustLitigation.com/Starters>

**\$12,165,004 in Direct Purchaser Settlements reached with Starters Manufacturers in Price Fixing Class Action Lawsuit**



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# **EXHIBIT 2**

**EXHIBIT 2**

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 12-MD-02311, STARTERS,  
2:13-cv-01101-SFC-RSW; 2:14-cv-10674-SFC-RS; 2:18-cv-11569-SFC-RSW

REQUESTS FOR EXCLUSION FROM THE DIRECT  
PURCHASER SETTLEMENT CLASSES

<p><b>FORD</b> Ford Motor Company and all of its wholly owned divisions, subsidiaries and affiliates</p> <p><b>GENERAL MOTORS</b> 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</p> <p><b>VOLKSWAGEN</b> Volkswagen Group of America Chattanooga Operations, LLC and each of its divisions, business units, subsidiaries, affiliates, parents, and predecessors and successors in interest</p>	
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