

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

<hr/>	:	CASE NO. 12-MD-02311
IN RE: AUTOMOTIVE PARTS ANTITRUST	:	HON. MARIANNE O BATTANI
LITIGATION	:	
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In Re: FUEL INJECTION SYSTEMS	:	Case No. 2:13-cv-02201-MOB-MKM
	:	
	:	Case No. 2:15-cv-11827-MOB-MKM
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THIS RELATES TO:	:	
	:	Case No. 2:15-cv-13423-MOB-MKM
ALL DIRECT PURCHASER ACTIONS	:	
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**ORDER AUTHORIZING DISSEMINATION OF
NOTICE TO THE DIRECT PURCHASER MITSUBISHI
ELECTRIC, HIAMS, MITSUBA, AND DENSO SETTLEMENT CLASSES**

Upon consideration of the Direct Purchaser Plaintiff’s Motion for an Order Authorizing Dissemination of Notice to the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, AND DENSO Direct Purchaser 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 September 25, 2018 (2:13-cv-02201, Doc. No. 72), the Court preliminarily approved a Settlement Agreement between the Direct Purchaser Plaintiff and Defendants Mitsubishi Electric Corporation, Mitsubishi Electric US Holdings, Inc., and Mitsubishi Electric Automotive America, Inc. (collectively, the “MITSUBISHI ELECTRIC Defendants”) and certified for purposes of the settlement a Direct Purchaser MITSUBISHI ELECTRIC Settlement Class (the “MITSUBISHI ELECTRIC Settlement Class”). By Order of this Court dated November 5, 2018 (2:13-cv-02201, Doc. No. 77), the Court appointed Vitec,

L.L.C. to serve as Class Representative for the Mitsubishi Settlement Class. The MITSUBISHI ELECTRIC Settlement Class shall receive notice in accordance with the terms of this Order.

3. By Order of this Court dated September 25, 2018 (2:13-cv-02201, Doc. No. 73), the Court preliminarily approved a Settlement Agreement between the Direct Purchaser Plaintiff and Defendant Hitachi Automotive Systems, Ltd. (“HIAMS”) for HIAMS, Hitachi, Ltd. and Hitachi Automotive Systems Americas, Inc. (collectively, the “HIAMS Defendants”) and certified for purposes of the settlement a Direct Purchaser HIAMS Settlement Class (the “HIAMS Settlement Class”). By Order of this Court dated November 5, 2018 (2:13-cv-02201, Doc. No. 78), the Court appointed Vitec, L.L.C. to serve as Class Representative for the HIAMS Settlement Class. The HIAMS Settlement Class shall receive notice in accordance with the terms of this Order.

4. By Order dated March 7, 2019 (2:13-cv-02201, Doc. No. 92), this Court preliminarily approved a Settlement Agreement between the Direct Purchaser Plaintiff and Defendants MITSUBA Corporation and American Mitsuba Corporation (collectively, the “MITSUBA Defendants”) and certified for purposes of the settlement a Direct Purchaser MITSUBA Settlement Class (the “MITSUBA Settlement Class”). The MITSUBA Settlement Class shall receive notice in accordance with the terms of this Order.

5. By Order of this Court dated April 24, 2019 (2:13-cv-02201, Doc. No. 96), as amended May 23, 2019 (Doc. No. 99), the Court preliminarily approved a Settlement Agreement between the Direct Purchaser Plaintiff and 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”) and certified for purposes of the settlement a Direct Purchaser DENSO Settlement Class (the “DENSO Settlement Class”). The DENSO Settlement Class shall receive notice in accordance with the terms of this Order.

6. The Court approves the form and content of: (a) 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”), attached as Exhibit 1 to the Notice Memorandum; (b) the Summary Notice of Proposed Settlements of Direct Purchaser Class Action with the MITSUBISHI ELECTRIC Defendants, HIAMS Defendants, MITSUBA Defendants, and DENSO Defendants and Hearing on Settlement Approval and Related Matters (the “Summary Notice”), attached as Exhibit 2 to the Notice Memorandum; and (c) the Informational Press Release (the “Press Release”), attached as Exhibit 3 to the Notice Memorandum.

7. 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.

8. On or before June 27, 2019, 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 MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Settlement Classes identified by Defendants. The Notice shall also be provided to all persons who request it in

response to the Summary Notice or Press Release. In addition, a copy of the Notice shall be posted on the Internet at www.autopartsantitrustlitigation.com, the website dedicated to this litigation.

9. On or before July 5, 2019, 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*. Additionally, an online banner notice will appear over a 21-day period on www.AutoNews.com, the digital version 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.

10. On or before July 26, 2019, Settlement Class Counsel shall file with the Court their motion or motions for: final approval of the proposed settlements with the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Defendants; and an award of attorneys' fees and expenses.

11. All requests for exclusion from any of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO Settlement Classes must be in writing, postmarked no later than August 16, 2019, 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 Injection Systems Direct Purchaser Antitrust Litigation. The address for each recipient is listed in the Notice.

12. Any objection by any member of the MITSUBISHI ELECTRIC, HIAMS, MITSUBA or DENSO Settlement Classes to any of those proposed settlements, or to the request for attorneys' fees and expenses, must be in writing, must be filed with the Clerk of Court and postmarked no later than August 16, 2019, and must otherwise comply with the instructions set

forth in the Notice. Objections must be sent to the Clerk of the Court, Settlement Class Counsel, and counsel for the Settling Defendants. The address for each recipient is listed in the Notice.

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

14. The Court will hold a Fairness Hearing on October 3, 2019, at 11:00 a.m., at the Theodore Levin U.S. Courthouse, 231 West Lafayette Blvd., Detroit, MI, 48226, Courtroom 252 (or such other courtroom as may be assigned for the hearing), to determine whether to approve: (1) the proposed MITSUBISHI ELECTRIC, HIAMS, MITSUBA, and DENSO settlements; and (2) Settlement Class Counsel's request for an award of attorneys' fees and litigation costs and expenses. Any Settlement Class member who follows the procedure set forth in the Notice may appear and be heard at this hearing. 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 Classes.

IT IS SO ORDERED.

s/Marianne O. Battani
HON. MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE

Date: June 6, 2019