

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: INSTRUMENT PANEL CLUSTERS

THIS RELATES TO:
ALL DIRECT PURCHASER ACTIONS

2:12-cv-00201-MOB-MKM

IMPORTANT NOTICE TO PURCHASERS OF INSTRUMENT PANEL CLUSTERS
PLEASE READ THIS ENTIRE DOCUMENT CAREFULLY

YOU MUST COMPLETE AND MAIL A CLAIM FORM, POSTMARKED ON OR BEFORE
NOVEMBER 28, 2018, TO BE ELIGIBLE TO SHARE IN THE DISTRIBUTION OF THE PROCEEDS OF
SETTLEMENTS WITH THE NIPPON SEIKI AND YAZAKI DEFENDANTS

INSTRUCTIONS FOR COMPLETING A CLAIM FORM

If you are a **direct** purchaser of Instrument Panel Clusters (and you have remained in either or both of the Nippon Seiki and Yazaki Settlement Classes), you may be entitled to share in the distribution of the Nippon Seiki and Yazaki settlement proceeds (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 the Nippon Seiki Settlement Class you may not participate in the distribution of the Nippon Seiki settlement proceeds, and if you have chosen to be excluded from the Yazaki Settlement Class you may not participate in the distribution of the Yazaki settlement proceeds.

Eligibility: You are eligible to submit a claim seeking to share in the distribution of the Settlement Fund in this litigation if, during the period from January 1, 1998 to December 27, 2016 (the "Class Period"), you purchased Instrument Panel Clusters in the United States **directly** from one or more of the following companies: (1) Yazaki Corporation; (2) Yazaki North America, Inc.; (3) Nippon Seiki Co. Ltd.; (4) N.S. International Ltd.; (5) New Sabina Industries, Inc.; (6) Continental Automotive Korea Ltd.; (7) Continental Automotive Systems, Inc.; (8) Denso Corporation; or (9) Denso International America, Inc.

As used here, "Instrument Panel Clusters" (also referred to as meters) means the mounted array of instruments and gauges housed in front of the driver of a motor vehicle.

Submission of Claim: If you are submitting a paper Claim Form, the 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 28, 2018**. Paper Claim Forms should be addressed to:

Settlement Administrator
Instrument Panel Clusters Direct Purchaser Antitrust Litigation
P.O. Box 5110
Portland, OR 97208-5110

Claim Forms may also be submitted electronically via the settlement website, www.AutoPartsAntiTrustLitigation.com/IPC. If you submit an electronic Claim Form you will be given a submission confirmation number and the ability to provide a digital version of the Schedule of Purchases. Electronic Claim Forms must be **submitted no later than November 28, 2018**.

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.

A Claim Form received by the Settlement Administrator shall be deemed to have been submitted (1) when it is submitted online, or (2) when it is posted, if it is addressed in accordance with the above instructions and mailed by **November 28, 2018**, and a postmark is indicated on the envelope. In all other cases, the Claim Form shall be deemed to have been submitted when it is actually received by the Settlement Administrator.

Please note that it will take a significant amount of time to process 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. Accurate claims processing takes a significant amount of time. Thank you for your patience.

**REMINDER: YOU MAY SUBMIT YOUR CLAIM ELECTRONICALLY AT
WWW.AUTOPARTSANTITRUSTLITIGATION.COM/IPC.**

Photocopies of Form: A claim may be submitted on 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/IPC.

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 Instrument Panel Clusters, 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 INSTRUMENT PANEL CLUSTERS IN THE UNITED STATES *DIRECTLY* FROM ONE OR MORE OF THE COMPANIES LISTED ABOVE UNDER THE “ELIGIBILITY” HEADING DURING THE PERIOD FROM JANUARY 1, 1998 TO DECEMBER 27, 2016.

INDIRECT PURCHASES ARE NOT ELIGIBLE.

Schedule of Purchases: General Worksheet: Please fill out the Schedule of Purchases: General Worksheet with the company names, products purchased, and purchase totals for each year of the Class Period (January 1, 1998 to December 27, 2016) in which you directly purchased Instrument Panel Clusters 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-ipc.com, or by calling 1-800-574-2375.

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 Instrument Panel Clusters in the United States from any of the listed companies during the period from January 1, 1998 to December 27, 2016. As part of the claims administration process, you may be required to verify certain information about your Instrument Panel Clusters purchases such as the product(s) purchased, the dollar amount(s), the date(s) of the purchases, and the company(ies) from which you **directly** purchased the Instrument Panel Clusters. You may be asked to submit purchase records to verify your claim.

Confirmation of Receipt of Claim: The receipt of paper 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. If you submit an electronic Claim Form through the settlement website you will receive a confirmation code.

Assistance: If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at Instrument Panel Clusters Direct Purchaser Antitrust Litigation, P.O. Box 5110, Portland, OR 97208-5110, via email at Info@AutoPartsAntitrustLitigation-ipc.com, or by calling 1-800-574-2375. You may also contact your own attorney or other person to assist you, at your own expense.

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 PLAINTIFFS 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 Instrument Panel Clusters 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**,” correspondence concerning this claim will be directed to the contact person provided in “Third Party Filer Information.”

II. CLAIMANT INFORMATION

Claimant Name (Individual or Entity):

[Empty grid for Claimant Name]

Address 1:

[Empty grid for Address 1]

Address 2:

[Empty grid for Address 2]

City:

[Empty grid for City]

State:

[Empty grid for State]

ZIP Code:

[Empty grid for ZIP Code]

Country:

[Empty grid for Country]

Contact Person:

[Empty grid for Contact Person]

Contact Person E-Mail Address:

[Empty grid for Contact Person E-Mail Address]

Contact Person Phone Number:

[Empty grid for Contact Person Phone Number]

Claimant is a (Check one):

- Corporation
- Individual
- Trustee in Bankruptcy
- Partnership

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):

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Filer Contact Name:

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Address 1:

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Address 2:

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City:

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State:

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ZIP Code:

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Country:

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Contact Person:

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Contact Person E-Mail Address:

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Contact Person Phone Number:

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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 Instrument Panel Clusters in the United States from each company listed in the “**Eligibility**” section above for each year¹ during the period from January 1, 1998 to December 27, 2016. **The purchase amounts must be the net amounts paid after deducting any discounts, rebates, price reductions, taxes, or delivery and freight charges. Purchases from companies that are not listed above 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 those 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 Instrument Panel Clusters 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.

¹ For purchases during 2014 only, please separately list purchases made from January 1, 2014 through and including May 16, 2014, and purchases made from May 17, 2014 through and including December 31, 2014.

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. Therefore, please retain your documentation until this litigation has been concluded and the claims review process has been completed. 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. You should retain those documents 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:

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 either Settlement Class, mark "None" and proceed to Section VI:

- Nippon Seiki
- Yazaki
- None

Please note, this does not constitute a formal request for exclusion. In order to formally request exclusion, if you have not already done so, please refer to the instructions provided in the Notice of Hearing on Proposed Plan of Distribution of the Nippon Seiki and Yazaki Settlement Fund.

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:

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

- OR - -

Name of taxpayer whose identification number is written above:

First Name: MI: Last Name:

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 I.R.S. 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 Instrument Panel Clusters listed were made by the claimant **directly** from the companies listed, that the claimant is a member of either the Nippon Seiki or Yazaki Settlement Class and has not requested exclusion from both the Nippon Seiki and the Yazaki 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 Hearing on Proposed Plan of Distribution of the Nippon Seiki and Yazaki Settlement Fund. 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:

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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 products purchased and purchase totals for each Defendant and year of the Class Period (January 1, 1998 to December 27, 2016) in which you directly purchased Instrument Panel Clusters in the United States. **An electronic version of this worksheet is available for electronic submissions through the settlement website www.AutoPartsAntitrustLitigation.com/IPC.** If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at Info@AutoPartsAntitrustLitigation-ipc.com, or by calling 1-800-574-2375.

Year Purchased	Yazaki Defendants ²		Nippon Seiki Defendants ³		Denso Defendants ⁴		Continental Defendants ⁵	
	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased
1998		(\$)		(\$)		(\$)		(\$)
1999		(\$)		(\$)		(\$)		(\$)
2000		(\$)		(\$)		(\$)		(\$)
2001		(\$)		(\$)		(\$)		(\$)
2002		(\$)		(\$)		(\$)		(\$)
2003		(\$)		(\$)		(\$)		(\$)
2004		(\$)		(\$)		(\$)		(\$)
2005		(\$)		(\$)		(\$)		(\$)
2006		(\$)		(\$)		(\$)		(\$)

List the products purchased and dollar amount of **direct purchases** of Instrument Panel Clusters 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.**

² Yazaki Corporation; and/or Yazaki North America, Inc.

³ Nippon Seiki Co. Ltd.; N.S. International Ltd.; and/or New Sabina Industries, Inc.

⁴ Denso Corporation; and/or Denso International America, Inc.

⁵ Continental Automotive Electronics LLC; Continental Automotive Korea Ltd.; and/or Continental Automotive Systems, Inc.

Year Purchased (cont.)	Yazaki Defendants		Nippon Seiki Defendants		Denso Defendants		Continental Defendants	
	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased	Products Purchased	Amount Purchased
2007		(\$)		(\$)		(\$)		(\$)
2008		(\$)		(\$)		(\$)		(\$)
2009		(\$)		(\$)		(\$)		(\$)
2010		(\$)		(\$)		(\$)		(\$)
2011		(\$)		(\$)		(\$)		(\$)
2012		(\$)		(\$)		(\$)		(\$)
2013		(\$)		(\$)		(\$)		(\$)
01/01/2014-05/16/2014 ⁶		(\$)		(\$)		(\$)		(\$)
05/17/2014-12/31/2014		(\$)		(\$)		(\$)		(\$)
2015		(\$)		(\$)		(\$)		(\$)
2016		(\$)		(\$)		(\$)		(\$)
TOTAL AMOUNT PURCHASED (Required)		(\$)		(\$)		(\$)		(\$)

⁶ For purchases during 2014, please separately list purchases made from January 1, 2014 through and including May 16, 2014, and purchases made from May 17, 2014 through and including December 31, 2014.