

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

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<b>In Re: AUTOMOTIVE PARTS</b>	:	
<b>ANTITRUST LITIGATION</b>	:	<b>12-md-02311</b>
	:	<b>Honorable Marianne O. Battani</b>
	:	
<b>PRODUCT(S):</b>	:	
<b>INSTRUMENT PANEL CLUSTERS</b>	:	
	:	
<b>THIS RELATES TO:</b>	:	<b>2:12-cv-00201-MOB-MKM</b>
<b>ALL DIRECT PURCHASER ACTIONS</b>	:	
	:	

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**CERTIFICATION OF MAILING, POSTING ON THE INTERNET, AND PUBLICATION OF NOTICE OF THE PROPOSED SETTLEMENT BETWEEN THE DIRECT PURCHASER PLAINTIFF AND THE NIPPON SEIKI DEFENDANTS**

Direct Purchaser Plaintiff respectfully submits this certification in accordance with this Court's Order of May 16, 2014 (2:12-cv-00201, Doc. No. 91 at ¶ 17). A declaration by Julie Redell, a Senior Project Manager employed by Epiq Class Action & Claims Solutions (“Epiq”), the Notice and Claims Administrator retained by Direct Purchaser Plaintiff, describing the dissemination of notice to potential Settlement Class members is attached hereto as Exhibit 1.

Pursuant to the Court’s Order, on July 30, 2014, Epiq caused two hundred and four (204) copies of the Notice of Proposed Settlement of Direct Purchaser Class Action with Nippon Seiki Defendants and Hearing on Settlement Approval (“Notice”) to be mailed to potential Settlement Class members by first class mail, postage prepaid. *Id.* at ¶ 6. Epiq also re-mailed returned notices for which updated addresses were obtained. *Id.* at ¶ 7.

Also in accordance with the Court’s May 16<sup>th</sup> Order, copies of the Notice and other documents relevant to the litigation were posted on the Internet at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com), a website dedicated to this litigation. *Id.* at ¶ 12.

Finally, the Summary Notice of Proposed Settlement of Direct Purchaser Class Action with Nippon Seiki Defendants and Hearing on Settlement Approval was published in one edition of *Automotive News* on August 4, 2014, and in the national edition of *The Wall Street Journal* on August 8, 2014. *Id.* at ¶¶ 9-11.

The notice to the Direct Purchaser Settlement Class under Fed. R. Civ. P. 23 has, therefore, been provided as ordered by the Court.

Respectfully submitted,

**FINK + ASSOCIATES LAW**

/s/ David H. 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	:	12-md-02311 Honorable Marianne O. Battani
PRODUCT(S): INSTRUMENT PANEL CLUSTERS	:	
THIS RELATES TO: ALL DIRECT PURCHASER ACTIONS	:	2:12-cv-00201-MOB-MKM

DECLARATION OF JULIE REDELL

I, Julie Redell, hereby declare as follows:

1. I am a Senior Project Manager employed by Epiq Class Action & Claims Solutions (“Epiq”) in Beaverton, Oregon. I am familiar with the actions taken by Epiq with respect to the proposed settlement reached in this case between the Direct Purchaser Plaintiff and the Nippon Seiki Defendants and the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided to me by Defendants, Plaintiff’s counsel, and associates and staff under my supervision, and is accurate and truthful to the best of my knowledge.

2. Epiq is a full-service data processing company and has been administering bankruptcies since 1985 and settlements since 1993, including settlements of class actions, mass tort matters, SEC and FTC disgorgement actions, and other major litigation. Our associates include technology experts, attorneys, paralegals, MBAs, and CPAs. Epiq has administered more than 1,000 settlements in some of the largest and most complex cases ever settled.

3. Epiq is a firm with more than 20 years of experience in data processing, claims processing, and settlement administration. Epiq's class action case administration services include coordination of all notice requirements, design of direct-mail notice, receipt and processing of opt-outs and objections by potential class members, coordination with the United States Postal Service, claims database management, claim adjudication, fund management, and distribution services. Epiq works with the settling parties, the Court, and the settlement class members in a neutral facilitation role, taking the negotiated terms of a settlement and implementing settlement administration services.

**OVERVIEW OF EPIQ'S RESPONSIBILITIES IN THE SETTLEMENT**

4. Epiq's responsibilities in connection with this Settlement included:

(a) printing the Court-approved Direct Purchaser Class Notice to be sent to potential Class Members;

(b) searching the National Change of Address ("NCOA") database for updated addresses, if any, for Class Members;

(c) mailing the Detailed Notice and where required, re-mailing, by first class mail to Class Members;

(d) causing the Summary Publication Notice to be placed in one edition of *Automotive News*, and in the national edition of *The Wall Street Journal*;

(e) establishing and maintaining a toll-free number with live Customer Representative support and an option to request a call back if called during non-business hours; and

(f) establishing and maintaining an informational website that provides Class Members access to the Settlement information.

**CLASS NOTICE**

5. Epiq received the Settlement Class Lists in June and July 2014. The Class Lists contained 243 potential Direct Purchaser Class Members. Epiq 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 204 names and addresses of potential Class Members.

6. On July 30, 2014 Epiq mailed the Direct Purchaser Class Notice, by first class mail, postage prepaid, to the 204 potential Class Members. A copy of the Direct Purchaser Class Notice sent to the potential Class Members is attached as Exhibit A.

7. As of October 20, 2014, 46 of the Direct Purchaser Class Notices mailed to potential Class Members were returned to Epiq as undeliverable. Epiq has re-mailed 16 Direct Purchaser Class Notices to addresses that were corrected through the U.S. Postal Service. 30 Direct Purchaser Class Notices remain undeliverable as an updated address was not available.

8. As of October 20, 2014, Epiq has received Requests for Exclusion from Ford Motor Company and Honda. The 27 specific entities on whose behalf Ford and Honda requested exclusion are set forth in Exhibit A to the proposed Order and Final Judgment. (2:12-cv-00201, Doc. No. 102-1).

**PUBLICATION NOTICE**

9. A Summary Publication Notice appeared in one edition of the *Automotive News* and in the national edition of *The Wall Street Journal*. A copy of the Summary Publication Notice is attached as Exhibit B.

10. On August 4, 2014 the Summary Publication Notice appeared in the *Automotive News*.

11. On August 8, 2014 the Summary Publication Notice appeared in the national edition of *The Wall Street Journal*.

**SETTLEMENT WEBSITE**

12. On July 30, 2014, Epiq activated the settlement website. The URL of the website is [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com). The website also contains a section specific to the Instrument Panel Clusters settlement which provides general case information, frequently asked question and answers, links to the Preliminary Approval Order, the Settlement Agreement, the Direct Purchaser Class Notice, and other settlement documents.

13. As of October 20, 2014, there have been 604 unique visits to the settlement website with 227 unique visits to the Instrument Panel Clusters section.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 21<sup>st</sup> day of October, 2014 in Beaverton, Oregon.



Julie Redell, Senior Project Manager  
Epiq Class Action & Claims Solutions

# **EXHIBIT A**



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

<b>In Re: AUTOMOTIVE PARTS ANTITRUST LITIGATION</b>	<b>12-md-02311 Honorable Marianne O. Battani</b>
<b>PRODUCT(S): INSTRUMENT PANEL CLUSTERS</b>	
<b>THIS RELATES TO: ALL DIRECT PURCHASER ACTIONS</b>	<b>2:12-cv-00201-MOB-MKM</b>

**NOTICE OF PROPOSED SETTLEMENT OF DIRECT PURCHASER  
CLASS ACTION WITH NIPPON SEIKI DEFENDANTS  
AND HEARING ON SETTLEMENT APPROVAL**

TO: ALL DIRECT PURCHASERS OF INSTRUMENT PANEL CLUSTERS IN THE UNITED STATES FROM A DEFENDANT DURING THE PERIOD FROM JANUARY 1, 2001 UP TO AND INCLUDING MAY 16, 2014.

PLEASE READ THIS ENTIRE 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 purpose of this Notice is to inform you of a proposed settlement with defendants Nippon Seiki Co., Ltd., N.S. International, Ltd., and New Sabina Industries, Inc. (collectively, "Nippon Seiki"). Under the terms of the proposed settlement, Nippon Seiki has made a payment in the amount of \$5.25 million (the "Settlement Fund"), and will cooperate with plaintiff in the prosecution of the claims against the remaining defendants.

This litigation is part of coordinated legal proceedings involving a number of parts used in motor vehicles. The litigation, and the proposed settlement, relate solely to Instrument Panel Clusters purchased **directly** from a defendant. These proceedings do not relate to, and have no effect upon, cases involving any other product or purchaser.

"Instrument Panel Clusters," for purposes of the settlement, are the mounted array of instruments and gauges housed in front of the driver of a motor vehicle. They are also known as meters. If you purchased Instrument Panel Clusters in the United States directly from any of the following defendants (or from any of their parents, predecessors, successors, subsidiaries, or affiliates) during the period from January 1, 2001 up to and including May 16, 2014 (the "Class Period"), you are a member of the Direct Purchaser Settlement Class:

Nippon Seiki Co., Ltd.;  
N.S. International, Ltd.;  
New Sabina Industries, Inc.;  
Yazaki Corporation;  
Yazaki North America Inc.;  
Denso Corporation; and  
Denso International America, Inc.

If you are a member of the Direct Purchaser Settlement Class, you have the rights and options summarized here:

- You may remain in the Direct Purchaser Settlement Class and be eligible to share in the Nippon Seiki Settlement Fund under a claims procedure that will be instituted in the future;
- You may exclude yourself from the Direct Purchaser Settlement Class, in which case you will **not** be bound by the settlement and will **not** be eligible to share in the Nippon Seiki Settlement Fund;

- If you do not exclude yourself from the Direct Purchaser Settlement Class, you may object in writing to the proposed Nippon Seiki settlement or the request to use a portion of the Settlement Fund to pay litigation expenses and appear at the hearing where the Court will determine whether the proposed settlement should be approved as fair, adequate, and reasonable, and whether a portion of the Settlement Fund may be used to pay litigation expenses; and
- You may enter an appearance in the litigation through your own counsel at your own expense.

You do **not** need to take any action at this time if you wish to remain in the Direct Purchaser Settlement Class. You should retain all of your records of Instrument Panel Clusters purchases for use in the claims procedure that will be instituted at a later date.

## WHO IS IN THE DIRECT PURCHASER SETTLEMENT CLASS?

On May 16, 2014, the Court certified a Direct Purchaser Settlement Class for purposes of disseminating notice of the proposed Nippon Seiki settlement, defined as follows:

All persons or entities (but excluding Defendants, their officers, directors, and employees, as well as Defendants' parents, predecessors, successors, subsidiaries, and affiliates) who purchased Instrument Panel Clusters in the United States, its territories, and possessions, directly from any Defendant, including Settling Defendants, or from any of their parents, predecessors, successors, subsidiaries, or affiliates, during the period from January 2001 up to and including May 16, 2014.

For purposes of the Direct Purchaser Settlement Class definition set forth above, the following entities are defendants:

Nippon Seiki Co., Ltd.;  
N.S. International, Ltd.;  
New Sabina Industries, Inc.;  
Yazaki Corporation;  
Yazaki North America Inc.;  
Denso Corporation; and  
Denso International America, Inc.

Plaintiff ACAP, L.L.C., f/k/a Aguirre, Collins & Aikman Plastics, LLC has been appointed by the Court to serve as class representative for the Direct Purchaser 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 & Willis, P.C. (hereinafter, "Settlement Class Counsel") to serve as Settlement Class Counsel for the Direct Purchaser Settlement Class.

## WHAT IS THIS LITIGATION ABOUT?

In 2012, a class action was filed against defendants by plaintiff, a direct purchaser of Instrument Panel Clusters. Plaintiff alleges that defendants entered into a conspiracy to suppress and eliminate competition for Instrument Panel Clusters by agreeing to raise, fix, maintain, or stabilize prices, rig bids, and allocate markets and customers for Instrument Panel Clusters, in violation of federal antitrust laws. Plaintiff further alleges that, as a result of the conspiracy, it and other direct purchasers of Instrument Panel Clusters have been injured by paying more for those products than they would have paid in the absence of the alleged illegal conduct, and it seeks recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Nippon Seiki and the other defendants deny plaintiff's allegations, and the Court has not issued any findings or rulings with respect to the merits of plaintiff's claims or defendants' defenses. This is a partial settlement of the claims in the Complaint, as it is with Nippon Seiki only. The class representative plaintiff is continuing to prosecute the case against the remaining, non-settling, defendants.

## WHAT RELIEF DOES THE PROPOSED SETTLEMENT PROVIDE?

Plaintiff, on behalf of the Direct Purchaser Settlement Class, has entered into a settlement agreement with Nippon Seiki, dated April 3, 2014 (the "Settlement Agreement"), under which Nippon Seiki has paid the amount of \$5.25 million into an escrow account for the benefit of the Settlement Class. Nippon Seiki has also agreed to cooperate with plaintiff in the prosecution of the lawsuit against the remaining defendants. The cooperation provided for under the Settlement Agreement

includes: (a) the production by Nippon Seiki of certain documents and data potentially relevant to plaintiff's claims; (b) interviews with certain of Nippon Seiki's officers, directors, and employees; (c) declarations and affidavits from Nippon Seiki's officers, directors, and employees; (d) depositions and trial testimony of certain of Nippon Seiki's officers, directors, and employees; and (e) meetings between Settlement Class Counsel and Nippon Seiki's counsel to provide information relating to the Instrument Panel Clusters industry and the alleged antitrust violations at issue in these actions.

Settlement Class Counsel agreed to the proposed settlement to ensure a fair and reasonable resolution to this matter, and to provide benefits to the members of the Direct Purchaser Settlement Class recognizing the existence of complex, contested issues of law and fact; the risks inherent in such complex litigation; the likelihood that, in the absence of settlement, future proceedings would take several years and be extremely costly; and the magnitude of the benefits resulting from the settlement in light of the possible range of recovery that could be obtained through further litigation, including the risk of no recovery. Settlement Class Counsel believe that it is in the best interests of the Direct Purchaser Settlement Class to enter into the proposed settlement and resolve this litigation as to Nippon Seiki.

This Notice is only a summary of the terms of the proposed settlement. The Settlement Agreement contains other important provisions, including the release of certain claims against Nippon Seiki, and you are referred to the Agreement, which is on file with the Clerk of Court and is available online at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com), for the complete terms of the settlement. The proposed settlement must receive final approval by the Court in order to become effective.

If you are a member of the Direct Purchaser Settlement Class and the proposed settlement is approved and becomes effective, you will be bound by its terms, including the release provisions. If you wish to object to 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 SETTLEMENT CLASS AND WHAT HAPPENS IF I DO?

If you are a member of the Direct Purchaser Settlement Class as defined above, you will automatically remain a Direct Purchaser Settlement Class member with respect to the Nippon Seiki settlement unless you elect to be excluded. If you wish to remain in the Direct Purchaser Settlement Class, you do not need to take any action at this time and your interests will be represented by plaintiff and by Settlement Class Counsel. 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.

If you remain in the Direct Purchaser Settlement Class and the final judgment order dismissing Nippon Seiki from the litigation becomes final and unappealable, you will be bound by that judgment. As a member of the Direct Purchaser Settlement Class, you will be eligible to share in the Nippon Seiki Settlement Fund pursuant to a claims procedure which will begin at a later date. You will also be afforded an opportunity to be heard with respect to the proposed Nippon Seiki settlement.

Settlement Class Counsel are not presently asking the Court to distribute the Settlement Fund proceeds to Direct Purchaser Settlement Class members. If you remain a member of the Direct Purchaser Settlement Class, you will receive additional notice at a later date and you will have an opportunity to object to and be heard in connection with the proposed plan of distribution of the Settlement Fund at that time.

**Do not dispose of any document that reflects your direct purchases of Instrument Panel Clusters in the United States from any defendant during the period from January 1, 2001 up to and including May 16, 2014. You may need those documents to complete a claim form in the future, which would be subject to inquiry and verification, if the settlement is approved or if damages are otherwise recovered from Nippon Seiki or another defendant.**

Settlement Class Counsel are not seeking payment of attorneys' fees or reimbursement of litigation costs incurred by Settlement Class Counsel at this time. In connection with seeking final approval of the Nippon Seiki settlement, plaintiff will seek permission from the Court to use up to 20% of the Settlement Fund to pay plaintiff's litigation expenses, including, but not limited to, costs for economic experts, depositions, costs related to document reproduction and review, and other costs incurred in prosecuting the case.

At a later date, Settlement Class Counsel will ask the Court for an award of attorneys' fees and reimbursement of litigation expenses, as well as payment of an incentive award to the class representative for its service to the class. When Settlement Class Counsel seek payment of attorneys' fees, reimbursement of litigation expenses, and an incentive award from the Settlement Fund, you will receive notice and be given an opportunity to object and be heard by the Court at that time.

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

If you wish to exclude yourself from the Direct Purchaser Settlement Class, you must send a request for exclusion, in writing, via certified mail, return receipt requested, **postmarked no later than September 13, 2014**, to Settlement Class Counsel at the addresses set forth below, and to the following address:

Instrument Panel Clusters Direct Purchaser Antitrust Litigation  
PO Box 5110  
Portland, OR 97208-5110

Your request for exclusion must include the full name and address of the purchaser (including any predecessor or successor entities). You are also requested to identify the defendant(s) from which you purchased Instrument Panel Clusters during the Class Period, the Instrument Panel Clusters purchased, and the dollar amount of those purchases. If you validly exclude yourself from the Direct Purchaser Settlement Class, you will not be bound by any decision concerning the Nippon Seiki settlement and you may pursue individually any claims you may have against Nippon Seiki, but you will not be eligible to share in the Settlement Fund created by the Nippon Seiki settlement.

**WHEN WILL THE COURT DECIDE WHETHER TO APPROVE THE SETTLEMENT AND HOW CAN I TELL THE COURT WHAT I THINK ABOUT THE SETTLEMENT?**

The Court will hold a hearing on November 5, 2014, at 11:00 a.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 272, to determine whether the proposed Nippon Seiki settlement should be approved as fair, reasonable, and adequate. The Court will also consider at the hearing whether to approve plaintiff's request to utilize a portion of the Settlement Fund to pay plaintiff's litigation expenses incurred in the prosecution of the case against the non-settling defendants. The hearing may be continued without further notice.

If you do not exclude yourself from the Direct Purchaser Settlement Class and you wish to object to the Settlement Agreement or plaintiff's request to utilize a portion of the Settlement Fund to pay plaintiff's litigation expenses, you must do so in writing. Your objection must include the caption of this litigation, must be signed, and be **filed no later than September 13, 2014**, 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:

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

Joseph C. Kohn  
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PRETI, FLAHERTY, BELIVEAU  
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SPECTOR ROSEMAN KODROFF  
& WILLIS, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300

*Co-Lead Counsel for the Direct Purchaser Settlement Class*

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WINSTON & STRAWN LLP  
200 Park Avenue  
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Telephone: (212) 294-6700

Fred K. Herrmann  
KERR, RUSSELL AND WEBER, PLC  
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Telephone: (313) 961-0200

*Counsel for the Nippon Seiki Defendants*

If you do not object to the proposed Nippon Seiki settlement or plaintiff's request to utilize a portion of the Settlement Fund to pay plaintiff's litigation expenses, you do not need to appear at the hearing or take any other action at this time.

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

If this Notice reached you at an address other than the one on the mailing label, or if your address changes, please send your correct address to the above-referenced Post Office Box.

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. Copies of the Settlement Agreement and certain other documents relevant to this litigation are available at [www.autopartstrustlitigation.com](http://www.autopartstrustlitigation.com). Questions concerning the proposed Nippon Seiki settlement, this Notice, or the litigation may be directed to any of the Settlement Class Counsel identified above.

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

Dated: July 30, 2014

BY ORDER OF:

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

# **EXHIBIT B**

**IF YOU PURCHASED INSTRUMENT PANEL CLUSTERS (ALSO KNOWN AS METERS) DIRECTLY FROM NIPPON SEIKI, DENSO, OR YAZAKI BETWEEN JANUARY 1, 2001 AND MAY 16, 2014, YOUR LEGAL RIGHTS MAY BE AFFECTED BY A PROPOSED SETTLEMENT WITH NIPPON SEIKI.**

A proposed \$5.25 million settlement has been reached in *In re Automotive Parts Antitrust Litigation*, MDL 2311, 2:12-cv-00201-MOB-MKM (E.D. Mich.), with defendants Nippon Seiki Co., Ltd., N.S. International, Ltd., and New Sabina Industries, Inc. (collectively, "Nippon Seiki").

**What is the lawsuit about?** This class action is part of coordinated legal proceedings involving a number of parts used in motor vehicles. The litigation, and the proposed settlement, relate solely to Instrument Panel Clusters purchased **directly** from a defendant. These proceedings do not relate to, and have no effect upon, cases involving any other product or purchaser.

"Instrument Panel Clusters," for purposes of the settlement, are the mounted array of instruments and gauges housed in front of the driver of a motor vehicle. They are also known as meters.

Plaintiff alleges that defendants entered into a conspiracy to suppress and eliminate competition for Instrument Panel Clusters by agreeing to raise, fix, maintain, or stabilize prices, rig bids, and allocate markets and customers for Instrument Panel Clusters, in violation of federal antitrust laws. Plaintiff further alleges that, as a result of the conspiracy, it and other direct purchasers of Instrument Panel Clusters were injured by paying more for those products than they should have paid, and seek recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Nippon Seiki and the other defendants deny plaintiff's allegations, and the Court has not issued any findings or rulings on the merits of plaintiff's claims or defendants' defenses. This is a partial settlement of the claims in the Complaint, as it is with Nippon Seiki only. The litigation is continuing against the remaining defendants.

**Who is included?** The Class is composed of all persons or entities who purchased Instrument Panel Clusters in the United States directly from any of the following defendants (or from any of their parents, predecessors, successors, subsidiaries, or affiliates) during the period from January 1, 2001 up to and including May 16, 2014 (the "Class Period"): Nippon Seiki Co., Ltd.; N.S. International, Ltd.; New Sabina Industries, Inc.; Yazaki Corporation; Yazaki North America Inc.; Denso Corporation; and Denso International America, Inc.

A Notice of Proposed Settlement ("Notice") was mailed to potential Direct Purchaser Settlement Class members on or about July 30, 2014. The Notice describes the litigation and options available to Direct Purchaser Settlement Class members with respect to the Nippon Seiki settlement in more detail. If you did not receive the Notice you may obtain a copy on the internet at [www.autopartsantitrustlitigation.com](http://www.autopartsantitrustlitigation.com), or by calling or writing to the following Settlement Class Counsel:

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

Steven A. Kanner  
FRED KANNER LONDON  
& MILLEN LLC  
2201 Waukegan Road, Suite 130

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Telephone: (224) 632-4500

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KOHN, SWIFT & GRAF, P.C.  
One South Broad Street, Suite 2100  
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Eugene A. Spector  
SPECTOR ROSEMAN KODROFF  
& WILLIS, P.C.  
1818 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 496-0300

*Co-Lead Counsel for the Direct Purchaser Settlement Class*

**What does the settlement provide?** Nippon Seiki has paid the amount of \$5.25 million (the "Settlement Fund") into an escrow account and will cooperate with plaintiff in the prosecution of the claims against the remaining defendants.

**Your rights may be affected.** If you purchased Instrument Panel Clusters in the United States directly from any defendant during the Class Period, you will automatically remain a Direct Purchaser Settlement Class member as to the Nippon Seiki settlement unless you elect to be excluded. If you wish to remain in the Direct Purchaser Settlement Class, you do not need to take any action at this time and your interests will be represented by plaintiff and by Settlement Class Counsel.

If you do not want to be bound by the settlement, you must submit a written request for exclusion, **postmarked no later than September 13, 2014**. If you validly exclude yourself from the Direct Purchaser Settlement Class, you will not be bound by any decision concerning the Nippon Seiki settlement and you can pursue individually any claims you may have against Nippon Seiki, but you will not be eligible to share in the Settlement Fund created by the Nippon Seiki settlement.

If you stay in the Settlement Class, you have the right to object to the proposed Nippon Seiki settlement and to plaintiff's request to utilize a portion of the Settlement Fund to pay for litigation expenses. Your objection must be **filed** no later than September 13, 2014.

The Court has scheduled a hearing on November 5, 2014, to consider whether to approve the proposed settlement and plaintiff's request to utilize a portion of the Settlement Fund to pay plaintiff's litigation expenses. The hearing may be continued without further notice.

If you believe you are a member of the Direct Purchaser Settlement Class, you are urged to obtain a copy of the detailed Notice, which discusses your rights regarding the Nippon Seiki settlement.

If you have questions concerning this litigation, you may contact Settlement Class Counsel identified above.

**Do not contact the Clerk of the Court or the Judge.**

Dated: August 8, 2014

BY ORDER OF:

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