

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

**In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

**Case No. 12-md-02311
Honorable Marianne O. Battani**

**In Re: INSTRUMENT PANEL
CLUSTERS**

**THIS DOCUMENT RELATES TO:
ALL DIRECT PURCHASER ACTIONS**

2:12-cv-00201-MOB-MKM

**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION
OF NOTICE OF PROPOSED SETTLEMENT WITH YAZAKI
DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court's Order dated, November 29, 2017 (2:12-cv-00201, Doc. No. 178) (the “Notice Order”), and Settlement Class members’ response to the notice program. As described more fully below, notice was mailed to 351 potential Settlement Class members and published in accordance with the Notice Order. Three requests for exclusion from the Settlement Class were timely submitted. As a result of these requests for exclusion, the Settlement Amount has been reduced to \$2,500,000. No objections were filed to either the proposed settlement or to Settlement Class Counsel’s request to use 20% of the settlement proceeds for litigation expenses.

Settlement Class Counsel respectfully submit that the extremely low number of opt-outs and the complete absence of objections militate strongly in favor of approval of the proposed settlement and the request for litigation expenses.

I. DISSEMINATION OF NOTICE TO THE CLASSES

Pursuant to the Court’s Notice Order, on December 13, 2017, Epiq Class Action & Claims Solutions, Inc. (“Epiq”), the Notice and Claims Administrator retained by Direct Purchaser Plaintiff, mailed 351 copies of the Notice of Proposed Settlement of Direct Purchaser Class Action with Yazaki Defendants and Hearing on Settlement Approval (the “Notice”) to potential Settlement Class members by first class mail, postage prepaid. *See* Exhibit 1 (Declaration of David Garcia Re Dissemination of Notice of Proposed Settlement With Yazaki Defendants) at ¶ 6. Epiq also re-mailed the Notice to potential Settlement Class members whose initial Notice had been returned and for which updated addresses were obtained. *Id.* at ¶ 7. In addition, a copy of the Notice was (and remains) posted online at www.AutoPartsAntitrustLitigation.com/ipc, 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 Yazaki Defendants and Hearing on Settlement Approval was published in the national edition of *The Wall Street Journal* and in *Automotive News* on December 18, 2017. *Id.* at ¶ 8.

Notice to the Yazaki 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 OR REQUEST FOR LITIGATION EXPENSES

The Notice advised that any objection to the proposed settlement or to Settlement Class Counsel’s request litigation expenses had to be filed with the Clerk by February 5, 2018, with copies mailed to Settlement Class Counsel and to Yazaki’s counsel.

As of the date of the filing of this Report, no objection to either the proposed settlement or to the expense 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 Yazaki Settlement Class had to be mailed to Settlement Class Counsel and to counsel for Yazaki, postmarked no later than February 5, 2018. Three requests for exclusion from the Settlement Class were timely submitted and have been received by Settlement Class Counsel as of this date. Exhibit 1 at ¶ 11. *See also* Exhibit 2. Pursuant to the Settlement Agreement, and as set forth in the preliminary approval motion, the Final Approval Memo, and the Notice, the settlement provided that the Yazaki Defendants would pay \$7,700,000 to the Yazaki Settlement Class, subject to a reduction due to opt-outs. As a result of the opt-outs, the Settlement Amount has been reduced to \$2,500,000.

Settlement Class Counsel respectfully submit that, for the reasons set forth in the Final Approval Memo, the Yazaki settlement, which provides for the payment of \$2,500,000 and substantial cooperation by Yazaki, is fair, reasonable and adequate under the relevant criteria, and warrants final approval.

IV. THE REACTION OF MEMBERS OF THE SETTLEMENT CLASS SUPPORTS APPROVAL OF THE SETTLEMENT AND THE REQUEST FOR LITIGATION EXPENSES

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. *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 of the proposed settlement was mailed to 351 potential Settlement Class members identified by Defendants, published in *Automotive News* and in *The Wall Street Journal*, and posted on-line. 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 litigation expenses.

V. CONCLUSION

Based upon the foregoing, and for the reasons set forth in Direct Purchaser Plaintiff’s Final Approval Brief, it is respectfully requested that the Court grant final approval of both the proposed Yazaki settlement and the request for litigation expenses.

DATED: March 2, 2018

Respectfully submitted,

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 Darryl Bressack (P67820)
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Interim Co-Lead Class Counsel and Settlement Class Co-Lead Counsel

CERTIFICATE OF SERVICE

I hereby certify that on March 2, 2018, 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.

FINK + ASSOCIATES LAW

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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**

**In Re: INSTRUMENT PANEL
CLUSTERS**

**THIS RELATES TO:
ALL DIRECT PURCHASER CASES**

2:12-cv-00201-MOB-MKM

**DECLARATION OF DAVID GARCIA RE DISSEMINATION OF NOTICE OF
PROPOSED SETTLEMENT WITH YAZAKI DEFENDANTS**

I, David Garcia, hereby declare as follows:

1. I am a Director of Client Services 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 settlement reached in this case between the Direct Purchaser Plaintiffs and the Yazaki Defendants as well as the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided by Defendants' counsel, Plaintiffs' 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 ("Detailed Notice") 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 Detailed Notice by USPS First-class mail to putative 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. 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; and

- f. Maintaining an informational website that provides the public access to pertinent documents and settlement information.

CLASS NOTICE

5. In preparation for mailing the Detailed Notices, 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 351 names and addresses of potential Class Members.

6. On December 13, 2017, Epiq mailed the Detailed Notice by first class mail, postage prepaid, to the 351 potential Class Members. A copy of the Detailed Notice is attached hereto as Exhibit A.

7. As of February 23, 2018, Epiq has received a total of 66 Detailed Notices returned by the U.S. Postal Service as undeliverable and has remailed 37 Detailed Notices to those records. As of February 23, 2018, there are 19 records that remain undeliverable.

PUBLICATION NOTICE

8. Epiq caused the publication of the Summary Publication Notice in one edition of *Automotive News* on December 18, 2017, and in the national edition of *The Wall Street Journal*, on December 18, 2017. Confirmation of the publication and copies of the Summary Publication Notice as it appeared in *Automotive News* and *The Wall Street Journal* are attached hereto as Exhibit B.

SETTLEMENT WEBSITE

9. On December 17, 2017, Epiq updated portions of the public settlement website to provide Direct Purchase Class Members with information related to the proposed settlement. The

domain name for the website is www.AutoPartsAntitrustLitigation.com/ipc. The website provides general case information and links to important documents, including the Settlement Agreement, the Detailed Notice, and other documents related to the Settlement.

10. As of February 23, 2018, there have been 170 page views and 111 unique visitors to the settlement website.

REQUESTS FOR EXCLUSION

11. Class Members could request exclusion from the Settlement Class, so long as they did so by submitting a request in writing that was postmarked by February 5, 2018. As of February 23, 2018, Epiq has received three (3) requests for exclusion.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 28th day of February, 2018 in Lake Elsinore, California.



David Garcia
Director, Client Services | Epiq

EXHIBIT A

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

**In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

**Case No. 12-md-02311
Honorable Marianne O. Battani**

**PRODUCT(S):
INSTRUMENT PANEL CLUSTERS**

**THIS RELATES TO:
ALL DIRECT PURCHASER ACTIONS**

12-cv-00201-MOB-MKM

**NOTICE OF PROPOSED SETTLEMENT OF DIRECT PURCHASER
CLASS ACTION WITH YAZAKI DEFENDANTS, AND HEARING
ON SETTLEMENT APPROVAL AND SETTLEMENT CLASS
COUNSEL'S REQUEST TO USE A PORTION OF SETTLEMENT
PROCEEDS FOR LITIGATION EXPENSES**

TO: ALL DIRECT PURCHASERS OF MOTOR VEHICLE INSTRUMENT PANEL CLUSTERS IN THE UNITED STATES FROM ANY OF THE DEFENDANTS (OR THEIR CONTROLLED SUBSIDIARIES, AFFILIATES, OR JOINT VENTURES) FROM JANUARY 1, 1998 THROUGH DECEMBER 27, 2016.

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 Orders 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 Yazaki Corporation and Yazaki North America, Inc. (collectively, "Yazaki"). Under the terms of the proposed settlement, Yazaki will pay a total of \$7,700,000 (the "Yazaki Settlement Fund") and provide cooperation to assist Plaintiff in the prosecution of the claims against the remaining Defendants.

The Notice is also to inform you that Settlement Class Counsel will make a request to use up to twenty percent (20%) of the Yazaki Settlement Fund for litigation expenses.

This litigation, and the proposed settlement, relate to Instrument Panel Clusters purchased **directly** from a Defendant. For purposes of the settlement, 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.

If you purchased one or more Instrument Panel Clusters in the United States directly from any of the Defendants identified below during the period from January 1, 1998 through December 27, 2016 (the "Class Period"), you are a member of the Yazaki Settlement Class (as defined below) and have the rights and options summarized here:

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

- If you do not exclude yourself from the Yazaki Settlement Class, you may object in writing to the proposed Yazaki settlement and to the request to use a portion of the Yazaki Settlement Fund to pay for litigation expenses, and appear at the hearing at which the Court will consider whether the Yazaki settlement should be approved as fair, adequate, and reasonable and whether a portion of the Yazaki Settlement Fund may be used to pay for 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 Yazaki Settlement Class. You should retain all your records of Instrument Panel Cluster purchases for use in the claims procedure that will be instituted at a later date.

WHO IS IN THE YAZAKI SETTLEMENT CLASS?

On March 21, 2017, the Court certified a Direct Purchaser Yazaki Settlement Class (the “Yazaki Settlement Class”) for purposes of disseminating notice of the proposed Yazaki settlement. The Yazaki Settlement Class is defined as follows:

All direct purchasers of motor vehicle Instrument Panel Clusters in the United States directly from any of the Defendants (or their controlled subsidiaries, affiliates or joint ventures) from January 1, 1998 through December 27, 2016.

For purposes of the Yazaki Settlement Class definition set forth above, the following are Defendants: Yazaki Corporation; Yazaki North America, Inc.; Continental Automotive Electronics LLC, Continental Automotive Korea Ltd. and Continental Automotive Systems, Inc. (collectively, “Continental”); Denso Corporation and Denso International America, Inc. (collectively, “Denso”) (Denso and Continental collectively may be referred to as the “non-settling Defendants”); and Nippon Seiki Co. Ltd., N.S. International Ltd., and New Sabina Industries, Inc. (collectively, “Nippon Seiki”).

Plaintiff ACAP, L.L.C., f/k/a Aguirre, Collins & Aikman, LLC has been appointed by the Court to serve as the Class Representative for the Yazaki 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 Counsel for the Direct Purchaser Yazaki Settlement Class (“Settlement Class Counsel”).

WHAT IS THIS LITIGATION ABOUT?

On February 8, 2012, Plaintiff filed a class action lawsuit against Yazaki on behalf of a class of direct purchasers of Instrument Panel Clusters, alleging that Yazaki engaged in a continuing conspiracy to rig bids and fix, raise, maintain, or stabilize prices at supra-competitive levels for Instrument Panel Clusters sold in the United States. Plaintiff further alleged that members of the proposed class paid artificially inflated prices for Instrument Panel Clusters and suffered antitrust injury to their business or property in violation of the federal antitrust laws. On January 15, 2013, Plaintiff filed a Consolidated Amended Class Action Complaint, which named Nippon Seiki and Denso as additional defendants. On February 25, 2015, Plaintiff filed the Second Consolidated Amended Class Action Complaint, naming the Continental Defendants. In 2014, the Court approved a \$5.25 million settlement with Nippon Seiki.

Yazaki denies Plaintiff’s allegations, and has agreed to settle this matter in order 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 Defendants’ defenses. This is a settlement with Yazaki only. 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 Yazaki Settlement Class, has entered into a settlement with Yazaki dated December 27, 2016 under which Yazaki has agreed to pay \$7,700,000. The Settlement Agreement gives Yazaki the right to reduce the amount of the settlement, but under no circumstances to less than \$2,500,000, based on timely and valid requests for exclusion by members of the Yazaki Settlement Class.

Yazaki has also agreed to cooperate with Plaintiff in the prosecution of the lawsuit against the non-settling Defendants. The cooperation provided for under the terms of the Settlement Agreement includes: (a) providing an attorney proffer of facts regarding documents, witnesses, meetings, communications, agreements with competitors, events, background information and any other relevant, non-privileged topics; and (b) producing through affidavit(s) or declaration(s) and/or at trial a representative qualified to authenticate, establish as business records, or otherwise establish any other necessary foundation for admission into evidence any of Yazaki's Documents and transactional data produced or to be produced.

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 Yazaki Settlement Class while 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 Yazaki Settlement Class to enter into the proposed settlement and resolve this litigation as to the Yazaki Defendants only.

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 Yazaki, and you are referred to the Settlement Agreement, which is on file with the Clerk of Court and available online at www.autopartsantitrustlitigation.com, for the complete terms of the settlement. The proposed settlement must receive final approval by the Court to become effective.

If you are a member of the Yazaki 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 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 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 Yazaki Settlement Class as defined above, you will automatically remain in the Yazaki Settlement Class unless you elect to be excluded. If you wish to remain in the Yazaki Settlement Class, you do not need to take any action and your interests will be represented by the Class Representative 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 Yazaki Settlement Class and the final judgment order dismissing Yazaki from the litigation becomes final and unappealable, you will be bound by that judgment.

As a member of the Yazaki Settlement Class, you will be eligible to share in the Yazaki Settlement Fund pursuant to a claims procedure that will begin at a later date. Settlement Class Counsel are not presently asking the Court to distribute the Yazaki Settlement Fund proceeds. If you remain a member of the Yazaki Settlement Class, you will receive additional notice at a later date and you will have an opportunity to object to and be heard regarding the proposed plan of distribution at that time.

Do not dispose of any document that reflects your purchases of Instrument Panel Clusters in the United States directly from any Defendant during the period from January 1, 1998 through December 27, 2016. You may need those documents to complete a claim form in the future, which will be subject to verification if the settlement is approved or if damages are otherwise recovered from Yazaki or another Defendant.

Settlement Class Counsel are not currently seeking payment of attorneys' fees. In connection with seeking final approval, they will, however, seek permission from the Court to use up to twenty percent (20%) of the Yazaki Settlement Fund to pay litigation expenses, including, but not limited to, costs for experts, depositions, 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 additional litigation expenses, as well as payment of incentive awards to the Class Representative for its service to the class. You will be sent notice and be given an opportunity to object and be heard by the Court when Settlement Class Counsel seek payment of attorneys' fees, reimbursement of litigation expenses, and incentive awards from the Yazaki Settlement Fund.

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

If you wish to exclude yourself from the Yazaki Settlement Class, you must send a request for exclusion, in writing, via certified mail, return receipt requested, postmarked no later than **February 5, 2018**, to Settlement Class Counsel, and to counsel for Yazaki, at the addresses set forth in the section of this Notice immediately following this one, and to the following address:

Instrument Panel Clusters Direct Purchaser Antitrust Litigation
P.O. 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 and any trade names). 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 amounts of those purchases. If you validly exclude yourself from the Yazaki Settlement Class you will not be bound by any decision concerning the Yazaki settlement and you may pursue individually any claims you may have against Yazaki, but you will not be eligible to share in the Yazaki Settlement Fund.

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 March 12, 2018, at 2:30 p.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 272, to determine whether the proposed Yazaki settlement should be approved as fair, reasonable, and adequate. The Court will also consider at the hearing whether to approve Settlement Class Counsel's request to use up to twenty percent (20%) of the Yazaki Settlement Fund to pay litigation expenses. The hearing may be rescheduled, adjourned, or continued without further notice to you.

If you do not exclude yourself from the Yazaki Settlement Class and you wish to object to the settlement or to Settlement Class Counsel's request to use a portion of the Yazaki Settlement Fund for litigation expenses, you must do so in writing. Your objection must include the caption of this litigation, must be signed, and must be **filed no later than February 5, 2018**, 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 February 5, 2018**:

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Co-Lead Counsel for the Direct Purchaser Yazaki Settlement Class

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Counsel for Yazaki

If you do not object to the proposed Yazaki settlement, or the request to use a portion of the Yazaki Settlement Fund for 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: Instrument Panel Clusters Direct Purchaser Antitrust Litigation, P.O. Box 5110, Portland, OR 97208-5110.

The Settlement Agreement, Complaints, 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. Questions concerning the proposed Yazaki 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: December 13, 2017

BY ORDER OF:

HONORABLE MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE
The United States District Court for the Eastern
District of Michigan, Southern Division

EXHIBIT B


CONFIRMATION OF PUBLICATION

IN THE MATTER OF: *Auto Parts – Instrument Panel Clusters*

I, Kyle Bingham, hereby certify that

- (a) I am the Manager of Strategic Communications at Epiq Systems 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 dates:

12.18.17 – Automotive News
12.18.17 – Wall Street Journal

X 
(Signature)
MANAGER OF STRATEGIC COMMUNICATIONS
(Title)

WIRING

Aptiv says Valens a strategic partner

continued from Page 16

In August, Aptiv CEO Kevin Clark told market analysts that his company is Tesla's primary wire harness provider. Clark said Aptiv is having similar strategic discussions with other automakers about reducing wiring and new architectures for vehicles — "principally with the European German luxury OEs."

Even as the amount of wiring potentially shrinks, Clark said the Tier 1 supplier expects to more than make up for it in terms of content per vehicle, because Aptiv also supplies the associated components for optimizing signal distribution over fewer wires. Aptiv considers the linkup with Valens as a strategic partnership.

Savings

Risling cautioned that there is much more to new wiring solutions



Clark: Vehicle content will rise.

multiple displays in a vehicle," he said.

"Each display will be connected to a head unit or an electronic control unit. But now they can be connected to the same one," he said.

"This saves a lot of meters — kilometers, even" of wires, he said. If a vehicle has two displays in proximity, they can be connected to the same electrical control unit, meaning less wiring running through the vehicle.

"That could represent a savings of 15 meters," Risling said. "If you multiply that by displays, sensors, lidars, sonars — this is where you can find major savings." **AN**

than merely connecting multiple features over the same physical wires. A key solution is the use of more capable computing power.

"It's a common practice in the industry to have

GOSEI

Airbags, cockpits areas of interest

continued from Page 16

airbags, another area ripe for change.

While today's drivers are presumed to be belted in behind the wheel and facing forward, passengers in tomorrow's driverless cars might swivel around, recline or even face backward.

"Maybe the location of the airbag will change, and maybe the speed of deployment will change," Miyazaki said.

One goal is to slow the deployment speed of airbags so they envelop the occupants in a more cushiony way rather than discharging with potentially dangerous force.

The company deepened its airbag business in May by exchanging cross shareholdings with Japanese airbag inflator maker Daicel Corp.



Miyazaki displays a cockpit module for a self-driving vehicle with an interface that monitors the driver's condition.

Toyoda Gosei is also researching ways to protect people outside the vehicle.

At this fall's Tokyo Motor Show, the

Japanese supplier showed a padded green concept vehicle called the Flesby II, which uses a soft rubber skin instead of hard sheet metal on the outside to soften impact in pedestrian collisions. The so-called e-rubber skin can also communicate with pedestrians through embedded LED lights that flash warnings.

Toyoda Gosei is looking at ways to develop cockpits for self-driving cars. Another Tokyo show concept had a fold-away steering wheel and a human-machine interface that can monitor the driver's condition with cameras and sensors.

Miyazaki says it is increasingly important to offer such products packaged as systems rather than as individual parts, especially as the supplier seeks customers beyond the Toyota Group, which accounts for about 67 percent of Toyoda Gosei's global sales. **AN**

LEGAL NOTICE

IF YOU PURCHASED INSTRUMENT PANEL CLUSTERS DIRECTLY FROM YAZAKI, CONTINENTAL, DENSO, OR NIPPON SEIKI BETWEEN JANUARY 1, 1998 AND DECEMBER 27, 2016 YOUR LEGAL RIGHTS MAY BE AFFECTED BY A PROPOSED SETTLEMENT WITH YAZAKI

A proposed \$7,700,000 settlement has been reached in *In re Automotive Parts Antitrust Litigation*, Master File No. 12-md-02311 (E.D. Mich.), 12-cv-00201 (E.D. Mich.) with Defendants Yazaki Corporation and Yazaki North America, Inc. (collectively, "Yazaki").

What is the lawsuit about? This class action litigation, and the proposed settlement, relate solely to Instrument Panel Clusters purchased **directly** from a Defendant (as defined below). For purposes of the settlement, 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.

Direct Purchaser Plaintiff alleges that Defendants engaged in a continuing conspiracy to rig bids and fix, raise, maintain, or stabilize prices at supra-competitive levels for Instrument Panel Clusters sold in the United States. Plaintiff further alleges that members of the proposed class paid artificially inflated prices for Instrument Panel Clusters and suffered antitrust injury to their business or property in violation of the federal antitrust laws. Plaintiff seeks recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees. In 2014, the Court approved a \$5,250,000 settlement with Nippon Seiki.

Yazaki denies Plaintiff's allegations, and has agreed to settle this matter in order 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 Defendants' defenses. This is a settlement with Yazaki only. Plaintiff is continuing to prosecute the case against the remaining non-settling Defendants.

Who is included? The Yazaki Settlement Class is composed of purchasers of motor vehicle Instrument Panel Clusters in the United States **directly** from any of the Defendants (or their controlled subsidiaries, affiliates or joint ventures) from January 1, 1998 through December 27, 2016.

For purposes of the proposed settlement, "Defendants" means the following entities: Yazaki Corporation; Yazaki North America, Inc.; Continental Automotive Electronics LLC, Continental Automotive Korea Ltd. and Continental Automotive Systems, Inc. (collectively, "Continental"); Denso Corporation and Denso International America, Inc. (collectively, "Denso") (Denso and Continental collectively may be referred to as the "non-settling Defendants"); and Nippon Seiki Co. Ltd., N.S. International Ltd., and New Sabina Industries, Inc. (collectively "Nippon Seiki").

A Notice of Proposed Settlement ("Notice") was mailed to potential Yazaki Settlement Class members on or about December 13, 2017. The Notice describes in more detail the litigation and options available to Yazaki Settlement Class members with respect to the Yazaki settlement and Settlement Class Counsel's request to use a portion of the Yazaki Settlement Fund for litigation expenses. If you have not received the Notice you may obtain a copy on the internet at www.AutoPartsAntitrustLitigation.com, or by calling or writing to the following Co-Lead Counsel for the Direct Purchaser Settlement Class ("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.

One South Broad Street, Suite 2100
Philadelphia, PA 19107
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.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300

What does the settlement provide? Yazaki has agreed to pay the amount of \$7,700,000 (the "Yazaki Settlement Fund") and to provide cooperation to assist Plaintiff in the prosecution of the claims against the remaining Defendants. As described in more detail in the Notice, the settlement amount is subject to reduction in the event of valid and timely requests for exclusion by Yazaki Settlement Class members.

Your rights may be affected. If you are a member of the Yazaki Settlement Class as defined above, you will automatically remain a Yazaki Settlement Class member unless you elect to be excluded. If you wish to remain in the Yazaki Settlement Class, you do not need to take any action and your interests will be represented by Plaintiff and by Settlement Class Counsel.

If you do not want to be bound by the Yazaki settlement, you must submit a written request for exclusion, **postmarked no later than February 5, 2018**, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from the Yazaki Settlement Class, you will not be bound by any decision concerning the Yazaki settlement and you can pursue individually any claims you may have against Yazaki, but you will not be eligible to share in the Yazaki Settlement Fund.

If you stay in the Yazaki Settlement Class, you have the right to object to the proposed Yazaki settlement and to the request to use a portion of the Yazaki Settlement Fund to pay for litigation expenses. Any objection must be made in accordance with the procedures set forth in the Notice. Your objection must be **filed no later than February 5, 2018**, and mailed to Settlement Class Counsel, and to Yazaki's counsel, **postmarked no later than February 5, 2018**.

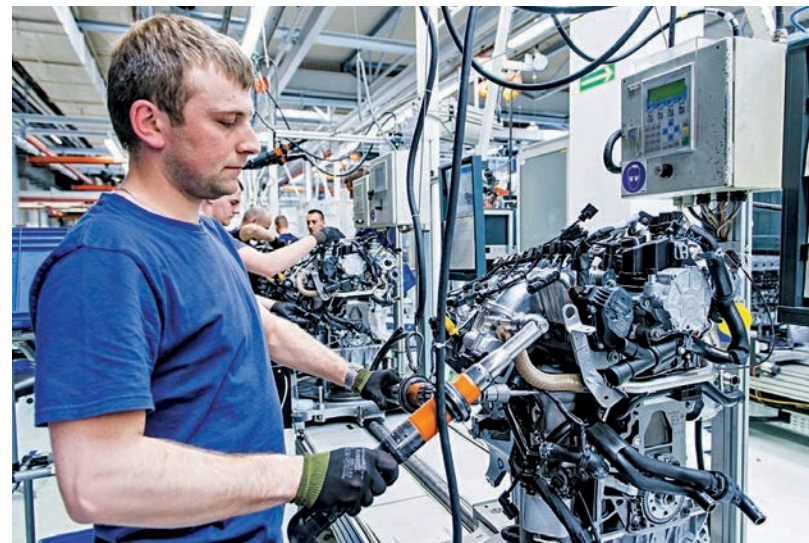
The Court has scheduled a hearing on March 12, 2018, to consider whether to approve the proposed Yazaki settlement and Settlement Class Counsel's request to use a portion of the Yazaki Settlement Fund to pay for litigation expenses. The hearing may be rescheduled, continued, or adjourned without further notice to you.

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

If you have questions concerning this litigation, you may contact the Settlement Class Counsel identified above. **Please do not contact the Clerk of the Court or the Judge.**

Dated: December 22, 2017

BY ORDER OF:
HONORABLE MARIANNE O. BATTANI
UNITED STATES DISTRICT JUDGE
The United States District Court for the Eastern District of Michigan, Southern Division



VW is moving to consolidate component production around the world, starting with EV parts and powertrain operations, to become more competitive.

VW

Employees told of new division

continued from Page 16

unit could be the first step in a larger plan to create a larger and more efficient components group.

"Bundling our EV components might be a door opener since all the brands will use the same battery modules," the source said.

Details are still unclear, but company employees have been told of a new groupwide division comprising roughly 80,000 workers that would be in charge of all component activities.

A team of senior executives already has been appointed to run the operations, but their influence is severely limited since they legally have no authority yet for a division that is only virtual. VW workers remain with the automaker under a specific VW contract.

The existence of the new division was revealed in a newsletter published in October by the company's works council, with no accompanying official announcement by Volkswagen management.

Mueller's medium-term goal would be to unite all powertrain operations throughout the group's brands. A window is opening for a more efficient sourcing opportunity now that the brands are all moving into EVs.

Job concerns weigh heavily on

"If components are separated and get their own income statement, then not only do you increase the pressure on the unions once their poor results are visible, but the VW brand also looks better after this burden is removed."

Frank Schwöpe, NordLB

German companies. And Volkswagen is under pressure at the moment to become more labor efficient.

The VW brand is in the process of shedding a net 14,000 German workers by 2020, just over a tenth of its work force, to boost margins that lag those of its volume sibling Skoda.

Selling off underperforming components activities could give the carmaker a further boost in that effort.

"We need seats," commented the company source. "But do we need to build them, too?"

Frank Schwöpe, analyst with NordLB, believes the parts plan could make the VW brand itself more competitive.

"If components are separated and get their own income statement, then not only do you increase the pressure on the unions once their poor results are visible," he said, "but the VW brand also looks better after this burden is removed." **AN**

CLOSED-END FUNDS

Listed are the 300 largest closed-end funds as measured by assets. Closed-end funds sell a limited number of shares and invest the proceeds in securities. Unlike open-end funds, closed-ends generally do not buy their shares back from investors who wish to cash in their holdings. Instead, fund shares trade on a stock exchange. **NA** signifies that the information is not available or not applicable. **NS** signifies fund not in existence of entire period. 12 month yield is computed by dividing income and dividends paid in the previous twelve months for periods ending at month-end or during the previous fifty-two weeks for periods ending at any time other than month-end by the latest month-end market price adjusted for capital gains distributions.

Source: Lipper

Friday, December 15, 2017				
Fund (SYM)	NAV	Close/Disc	52 wk Prem Ttl Ret	
General Equity Funds				
Adams Divers Equity Fd	ADX	17.57 14.99	-14.7	27.9
Boulder Growth & Income	BIF	12.96 10.88	-16.0	25.4
Central Securities Fd	CEF	32.79 26.94	-17.8	27.7
CohSteer Oprtrny Fd	COT	13.89 13.10	-5.7	20.8
Cornstone Strategic CLM	CLM	13.49 15.17	-12.5	22.0
EtnVnc TaxAdvDiv	EVT	23.86 22.89	-4.1	20.6
Gabell Dividend & Incm	GDV	24.80 22.79	-8.1	20.8
Gabelli Equity Trust	GAB	6.55 6.17	-5.8	21.6
Genl American Investors	GAM	40.58 33.81	-16.7	18.0
Guggenheim Enrh Fd	GPM	8.93 8.72	-2.4	23.8

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Legal Notices

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NOTICE OF SALE

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE

In re: Chapter 11
M & G USA CORPORATION, et al.,¹ Case No. 17-12307 (BLS)
Debtors. (Jointly Administered)

NOTICE OF SALE, BID PROCEDURES, AUCTION, SALE OBJECTION, SALE HEARING AND OTHER DEADLINES RELATED THERETO

PLEASE TAKE NOTICE OF THE FOLLOWING:

1. On November 16, 2017, the above-captioned debtors and debtors in possession (collectively, the “Debtors”) filed with the United States Bankruptcy Court for the District of Delaware (the “Court”) a motion (Docket No. 173) (the “Motion”) seeking entry of (a) an order authorizing and approving, among other things, bidding procedures (the “Bidding Procedures”) to be used in connection with the sale (each, a “Sale” or “Sale Transaction”) of any of the Debtors’ assets (the “Assets”), (b) entry of one or more orders, as applicable, authorizing and approving, among other things, the Sale of the Assets free and clear of all liens, claims, interests or encumbrances, except certain permitted encumbrances as determined by the Debtors and any purchasers of the Assets, and subject to any defenses or claims of the Debtors with respect thereto, with liens to attach to the proceeds of such sale(s); and (c) granting related relief.

2. On December 14, 2017, the Court entered an order approving the Motion (Docket No. 490) (the “Bidding Procedures Order”).

3. Pursuant to the Bidding Procedures Order, prospective interested parties will be requested to submit a Proposal (as defined in the Bidding Procedures) for the relevant Assets at any time, but by no later than **January 16, 2018 at 5:00 p.m. (prevailing ET)** (the “Proposal Deadline”) to the following parties: (a) the Debtors and M&G USA Corporation, 4505 Gears Road, Suite 240, Houston, Texas, 77067 (Attn: Dennis Stogsdill) (DStogsdill@alvarezandmarsal.com); (b) counsel for the Debtors, (i) Jones Day, 901 Lakeside Avenue, Cleveland, OH 44114 (Attn: Carl E. Barmore, cbarb@jonesday.com) and 250 Vesey Street, New York, NY 10281 (Attn: Scott J. Greenberg, Esq. (sgreenberg@jonesday.com), Michael J. Cohen, Esq. (mcohen@jonesday.com) and Stacey L. Corr-Irvine, Esq. (scorrivine@jonesday.com)) and (ii) Pachulski Stang Ziehl & Jones LLP, 919 N. Market Street, 17th Floor, P.O. Box 8705, Wilmington, DE 19899-8705 (Attn: Laura Davis Jones, Esq., (ljones@pszjlaw.com), James E. O’Neill, Esq. (joneill@pszjlaw.com) and Joseph M. Mulvihill, Esq. (mulvihill@pszjlaw.com)), (together, “Debtors’ Counsel”); (c) the Debtors’ investment banker, Rothschild Inc., 1251 Avenue of the Americas, 33rd Floor, New York, New York 10020 (Attn: Neil Augustine (neil.augustine@rothschild.com), Jonathan Brownstein (jonathan.brownstein@rothschild.com) and Matthew Gull (matthew.gull@rothschild.com)), (“Debtors’ Investment Banker”); (d) with respect to an Apple Grove Bid (as defined in the Bidding Procedures), counsel for the United Steelworkers, (i) Cohen, Weiss and Simon LLP, 900 Third Avenue, New York, New York, 10022 (Attn: Richard M. Seltzer, Esq. (rseltzer@cwswy.com) and Hiram M. Arnaud, Esq. (Harnaud@cwswy.com)) and (ii) The Law Office of Susan E. Kaufman, LLC, 919 N. Market Street, Suite 460, Wilmington, Delaware 19801 (Attn: Susan E. Kaufman, Esq. (skaufman@skaufmanlaw.com)); (e) counsel for the Committee of Unsecured Creditors (“Committee of Creditors”), (i) the Committee’s investment banker, Jefferies LLC, 520 Madison Avenue, New York, New York 10022 (Attn: Leon Szeizinger (lszeizinger@jefferies.com) and John J. D’Amico (jdamico@jefferies.com)) (the foregoing entities in clauses (a) through (f), the “Bid Notice Parties”);

4. Pursuant to the Bidding Procedures Order, the Debtors are authorized, as they may deem necessary and appropriate in the prudent exercise of their business judgment, in consultation with the Committee, to enter into any Stalking Horse Agreement(s) in connection with the proposed sale of any Assets and to provide Bid Protections to any Stalking Horse Bidder therein (each, as defined in the Bidding Procedures); provided that the Debtors shall file a motion (each, a “Stalking Horse Motion”) seeking approval of any such Stalking Horse Agreement, including any Bid Protections provided therein. Subject to the Court’s determination, but no earlier than seven (7) business days after filing a Stalking Horse Motion and no later than the Sale Hearing, the Debtors are authorized to seek approval from the Court, on an expedited basis if necessary, of such Stalking Horse Agreement(s) and any Bid Protections contained therein, in accordance with Rule 6004-1 of the Local Rules.

5. Any Prospective Bidder (as defined in the Bidding Procedures) that intends to participate in the applicable Auction for any of the Assets must submit its final, binding bid (a “Final Bid”) in writing to the Bid Notice Parties on or before:

January 22, 2018 at 5:00 p.m. (prevailing ET) with respect to any of the Apple Grove Assets; or

March 6, 2018 at 5:00 p.m. (prevailing ET) with respect to any other Assets (and any Apple Grove Assets not sold in an earlier Auction and otherwise available to be sold (the “Residual Apple Grove Assets”)) (as applicable, the “Final Bid Deadline”).

6. If the Debtors receive more than one Qualified Bid (as defined in the Bidding Procedures) for any of the Assets by the Final Bid Deadline, the Debtors shall conduct an Auction at the offices of Jones Day, 250 Vesey Street, New York, New York 10281 on the following dates, or at such other time and location as designated by the Debtors, in consultation with the Committee; provided that, if the Debtors reschedule such Auction, notice of the rescheduled Auction shall be filed with the Court and served on the Sale Notice Parties (as defined in the Bidding Procedures):

January 29, 2018 at 10:00 a.m. (prevailing ET) with respect to the Apple Grove Assets (or at such other time and location as designated by the Debtors); and

March 8, 2018 at 10:00 a.m. (prevailing ET) with respect to all other Assets (and any Residual Apple Grove Assets) (or at such other time and location as designated by the Debtors); provided that the Auction for such Assets shall not be rescheduled for a date that is beyond the outside date or milestone for such Auction set forth in the DIP Loan Documents (as defined in the DIP Orders (Docket Nos. 62 & 479)).

7. If the Debtors receive no more than one Qualified Bid (including any Stalking Horse Bid) or Credit Bid by the DIP Agent, DIP Lender and/or Pre-Petition First Lien Lender (each, as defined in the Bidding Procedures) with respect to any of the Assets, the Debtors may determine in their reasonable discretion, in consultation with the Credit Auction Committee for such Assets and instead declare such Qualified Bid as the Successful Bid on such Assets and request at the applicable Sale Hearing that the Court approve the applicable Asset Purchase Agreement with the applicable Successful Bidder (including any Stalking Horse Agreement(s) with the applicable Stalking Horse Bidders).

8. Objections to the Sale Transaction(s) (each, a “Sale Objection”), including any objection to the sale of any Assets free and clear of liens, claims, interests, and encumbrances pursuant to section 363(f) of the Bankruptcy Code, to the applicable Successful Bidder and/or applicable Backup Bidder, as applicable, and entry of any sale order (other than Cure Objections and Adequate Assurance Objections (as defined in the Bidding Procedures Order)) must (a) be in writing and specify the nature of such objection; (b) comply with the Bankruptcy Code, Bankruptcy Rules, Local Rules and all orders of the Court; and (c) be filed with the Court and served on: (i) Debtors, M&G USA Corporation, 4505 Gears Road, Suite 240, Houston, Texas 77067 (Attn: Dennis Stogsdill) (DStogsdill@alvarezandmarsal.com), S.A. De C.V. and Banco Inbursa, S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa, (i) Cleary Gottlieb Steen & Hamilton LLP, 1 Liberty Plaza, New York, NY 10006 (Attn: Lisa M. Schweitzer, Esq.) and (2) Young Conaway Stargatt & Taylor, LLP, 1000 North King Street, Wilmington, Delaware 19801 (Attn: Pauline K. Morgan, Esq.); (v) counsel to Trimont Real Estate Advisors, LLC, Thompson & Knight LLP, 900 Third Avenue, 20th floor, New York, NY 10022 (Attn: Michael V. Blumenthal, Esq.); (vi) counsel to DAK Americas LLC, (L) Weil Gotshal & Manges LLP, 700 Louisiana, Suite 1700, Houston, Texas, 77002 (Attn: Alfredo R. Perez, Esq.) and (2) Morris, Nichols, Arshat and Tunnell LLP, 1201 North Market Street, 16th Floor, Wilmington, Delaware 19899 (Attn: Curtis S. Miller, Esq.); (vii) counsel (if applicable) of any Stalking Horse Bidders; (viii) counsel (if applicable) of any Successful Bidder(s); (ix) counsel (if applicable) of any applicable Backup Bidder(s); and (x) the Office of the United States Trustee for the District of Delaware, 514 Delaware Street, 17th Floor, Lockbox 35, Wilmington, Delaware 19801 (Attn: Hannah McCollum, Esq.) (collectively, the “Objection Recipients”); by:

January 24, 2018 at 5:00 p.m. (prevailing ET) with respect to the Sale of any of the Apple Grove Assets; and

March 7, 2018 at 5:00 p.m. (prevailing ET) with respect to the Sale of any other Assets (and any Residual Apple Grove Assets).

9. All Sale Objections not otherwise resolved by the parties prior thereto shall be heard at the applicable Sale Hearing. **IF ANY PARTY FAILS TO TIMELY FILE WITH THE COURT AND SERVE ON**

THE OBJECTION RECIPIENTS A SALE OBJECTION SUCH PARTY FOREVER SHALL BE BARRED FROM ASSERTING, AT THE APPLICABLE SALE HEARING OR THEREAFTER, ANY OBJECTION TO THE RELIEF REQUESTED IN THE MOTION, OR TO THE CONSUMMATION AND PERFORMANCE OF THE APPLICABLE SALE TRANSACTION(S) CONTEMPLATED BY AN APPLICABLE ASSET PURCHASE AGREEMENT WITH A SUCCESSFUL BIDDER, INCLUDING THE TRANSFER OF THE APPLICABLE ASSETS TO THE APPLICABLE SUCCESSFUL BIDDER(S), FREE AND CLEAR OF ALL LIENS, CLAIMS, INTERESTS, AND ENCUMBRANCES PURSUANT TO SECTION 363(f) OF THE BANKRUPTCY CODE. Notwithstanding the foregoing or anything herein to the contrary, and as set forth below, the deadline to file an Adequate Assurance Objection in connection with a proposed Sale Transaction shall be:

January 31, 2018 at noon (prevailing ET) with respect to the Sale of any Apple Grove Assets; and

March 12, 2018 at noon (prevailing ET) with respect to the Sale of any other Assets (and any Residual Apple Grove Assets).

10. The hearings to approve the Sales and any Successful Bid(s) therefor shall take place on:

February 1, 2018 at 10:00 a.m. (prevailing ET) with respect to the Sale of any of the Apple Grove Assets; and

March 14, 2018 at 10:00 a.m. (prevailing ET) with respect to the Sale of any other Assets (and any Residual Apple Grove Assets), (as applicable, the “Sale Hearing”) before the Honorable Brendan L. Shannon, Chief United States Bankruptcy Judge, in the United States Bankruptcy Court for the District of Delaware, located at 824 N. Market Street, Wilmington, Delaware 19801. The Debtors’ presentation to the Court for approval of a Successful Bid does not constitute the Debtors’ acceptance of such bid. The Debtors will have accepted the terms of a Successful Bid only when such bid has been approved by the Court pursuant to a Sale Order.

11. To the extent set forth in the Bidding Procedures, the Debtors reserve the right to, in their reasonable discretion, in consultation with the Committee, modify the Bidding Procedures at any time, including, without limitation, to extend deadlines and proposed dates set forth therein, including extending the applicable Final Bid Deadline, modifying the date of the applicable Auction and adjourning and/or rescheduling the applicable Sale Hearing. This Notice is subject to the full terms and conditions set forth in the Bidding Procedures Order and the Bidding Procedures; provided that the Debtors may not amend the Bidding Procedures or the bidding process to (a) reduce or otherwise modify their obligations to consult with any Consultation Party (as defined in the Bidding Procedures) without the consent of such Consultation Party or further Court Order, (b) reduce or otherwise modify their obligations to obtain consent from the DIP Lender or the Pre-Petition First Lien Lender, as applicable or (c) provide for any extensions of deadlines, other modifications of the Bidding Procedures or acceptance of any bids which limit the rights set out in or to the protections provided to the DIP Agent, the DIP Lender and the Pre-Petition First Lien Lender as set forth in the DIP Orders, the DIP Loan Documents or the Pre-Petition First Lien Documents, or are inconsistent with the Debtors’ agreements and obligations thereunder, in each case without the prior written consent of the Pre-Petition First Lien Lender or the DIP Agent or the DIP Lender, as applicable.

12. Parties interested in receiving additional information, including, with regard to the Sale, the Assets, the Auctions or the Bidding Procedures may make requests to the Debtors’ Investment Banker.

13. Copies of the Motion, the Bidding Procedures Order and the Bidding Procedures may be obtained free of charge at the website dedicated to the Debtors’ chapter 11 cases maintained by their claims and noticing agent and administrative advisor, Primer Clerk LLC (<http://cases.primerclerk.com/mgusa/>). Copies of these documents are also available for inspection during regular business hours at the Office of the Clerk of the Court, located at 824 N. Market Street, 3rd Floor, Wilmington, DE 19801, and may be viewed for a fee on the internet at the Court’s website (<http://www.deb.uscourts.gov/>), by following the directions for accessing the ECF system on such website.

The Debtors are the following twelve entities (the last four digits of their respective taxpayer identification numbers follow in parentheses): M & G USA Corporation (3449), M & G Resins USA, LLC (3236), M & G Polymers USA, LLC (7593), M & G Finance Corporation (4230), M&G Waters USA, LLC (2195), Mossi & Ghisolfi International S.A. r.l. (1270), M&G Chemicals S.A. (N/A), M&G Capital S.p.A. r.l. (7812), M & G USA Holding, LLC (3451), Chemtex International Inc. (7695), Chemtex Far East, Ltd. (2062) and Indo American Investments, Inc. (9208). The Debtors’ noticing address in these chapter 11 cases is 450 Gears Road, Suite 240, Houston, Texas 77067.

Public Offerings of Stock

IPOs in the U.S. Market

Initial public offerings of stock expected this week; might include some offerings, U.S. and foreign, open to institutional investors only via the Rule 144a market; deal amounts are for the U.S. market only

Expected pricing date	Filed	Issuer/business	Symbol/primary exchange (mil.)	Shares	Pricing Range(\$)	Low/High	Bookrunner(s)
12/19	9/7	Adial Pharmaceuticals	ADIL	1.4	9.00/		Aegis Cptl,
		Manufacturer and developer of medications for addiction.	Nq		11.00		Maxim Grp, Dawson James Sec
12/19	11/16	Advantage Insurance	AVI	10.0	9.00/		Raymond James & Assoc,
		Provider of life insurance policies.	N		11.00		JMP Sec, B Riley FBR
12/20	11/13	LexinFintech Holdings	LX	24.0	9.00/		GS, BofA ML,
		Technology company offering an online loans broker platform.	Nq		11.00		DB, China Renaissance Ptnrs

Lockup Expirations

Below, companies whose officers and other insiders will become eligible to sell shares in their newly public companies for the first time. Such sales can move the stock’s price.

Lockup expiration	Issue date	Issuer	Symbol	Offer price(\$)	Offer amt (\$ mil.)	Through Friday (%)	Lockup provision
Dec. 18	June 21, '17	Altice USA	ATUS	30.00	2151.7	-36.6	180 days
	June 21, '17	Safety Income Growth	SFUS	20.00	205.0	-10.0	180 days
	June 21, '17	SG Blocks	SGBX	5.00	8.6	9.0	180 days
Dec. 23	June 26, '17	Avenue Therapeutics	ATXI	6.00	33.0	-25.3	180 days
	June 26, '17	Esquire Financial Holdings	ESQ	14.00	38.1	35.7	180 days
Dec. 24	June 27, '17	Mersana Therapeutics	MRSN	15.00	75.8	16.5	180 days

Sources: Dealogic; JMP Sec Market Data Group

IPO Scorecard

Performance of IPOs, most-recent listed first

Company	SYMBOL	Friday's	% Chg From	1st-day	Company	SYMBOL	Friday's	% Chg From	1st-day		
IPO date/Offer price		close (\$)	Offer price	close	IPO date/Offer price		close (\$)	Offer price	close		
Denali Thera	DNLI	Dec. 8/\$18.00	19.04	5.8	-11.2	Quantarix	QTRX	Dec. 7/\$15.00	17.75	18.3	1.6
GigCapital		9.99	-0.1	-0.1	Leisure Acquisition	LACQU	Dec. 1/\$10.00	9.90	-1.0	-0.6	
GIG.U	Dec. 8/\$10.00				Regalwood Global Energy	RGWE.U	Dec. 1/\$10.00	9.95	-0.5	-0.5	
Luther Burbank	LBC	Dec. 8/\$10.75	11.92	10.9	1.4	RETO Eco-Solutions	RETO	Nov. 29/\$5.00	9.30	86.0	-12.0
CURO Grp Hldgs	CURO	Dec. 7/\$14.00	14.00	...	-1.4	Big Rock Ptnrs Acquisition	BRPAU	Nov. 20/\$10.00	10.25	2.5	2.4
Odonate Thera	ODT	Dec. 7/\$24.00	23.00	-4.2	...						

Sources: WSJ Market Data Group; FactSet Research Systems

Other Stock Offerings

Secondaries and follow-ons expected this week in the U.S. market

None expected this week

Off the Shelf

“Shelf registrations” allow a company to prepare a stock or bond for sale, without selling the whole issue at once. Corporations sell as conditions become favorable. Here are the shelf sales, or takedowns, over the last week:

Issuer/Industry	Takedown date/Registration date	Deal value (\$ mil.)	Registration (mil.)	Bookrunner(s)
Univar Chemicals	Dec. 14	\$287.9	...	GS
Dicerna Pharmaceuticals	Dec. 12 '16			
Healthcare	Dec. 14	\$40.0	\$150.0	Stifel, Evercore
Chefs' Warehouse Food & Beverage	Dec. 14	\$35.2	...	Jefferies
Bristow Group Transportation	Dec. 13	\$143.8	...	Credit Suisse, Barclays, BofA ML
Nordic American Tankers Transportation	Dec. 13	\$110.0	\$500.0	MS, Clarkson, DNB Markets, Seaport Global Sec, SEB
Proteostasis Therapeutics Healthcare	Dec. 13	\$40.0	\$125.0	Leerink Ptnrs, RBC Cptl Mkts
TD Ameritrade Holding Finance	Dec. 12	\$1,425.8	...	GS
bluebird bio Healthcare	Dec. 12	\$600.0	...	GS, BofA ML, JPM, Cowen & Co
Iron Mountain Real Estate/Property	Dec. 12	\$536.5	...	JPM, BofA ML, WFS, Barclays, Evercore, GS, MS
Blueprint Medicines Healthcare	Dec. 12	\$300.0	...	GS, MS, Cowen & Co
Noble Midstream Partners Oil & Gas	Dec. 12	\$154.2	...	Citi
Fate Therapeutics Healthcare	Dec. 12	\$46.0	\$102.9	Leerink Ptnrs, Piper Jaffray
Acer Therapeutics Healthcare	Dec. 12	\$11.0	\$100.0	W. Blair
Oasis Petroleum Oil & Gas	Dec. 11	\$305.6	...	GS, Credit Suisse
GMS Construction/Building	Dec. 11	\$191.3	...	MS
NCI Building Systems Metal & Steel	Dec. 11	\$117.3	\$571.3	GS, RBC Cptl Mkts
Unitil Corp Utility & Energy	Dec. 11	\$33.3	\$75.0	RBC Cptl Mkts, BofA ML
Pershing Gold Mining	Dec. 11	\$6.8	\$100.0	Canaccord Genuity, BMO Cptl Mkts, Cantor Fitzgerald & Co

Public and Private Borrowing Treasuries

Monday, December 18	Tuesday, December 19
Auction of 13 and 26 week bills; announced on December 14; settles on December 21	Auction of 4 week bill; announced on December 18; settles on December 21
Thursday, December 21	
Auction of 5 year TIPS; announced on December 14; settles on December 29	

Public and Municipal Finance

Deals of \$150 million or more expected this week

Sale	Final maturity	Issuer	Total (\$mil.)	Rating	Fitch	Moody's	S&P	Bookrunner/ Bond Counsel(s)
Dec. 22	prelim.	California Health Facs Fin Auth	462.0	N.R.	N.R.	N.R.	N.R.	M. Stanley/—
Dec. 22	prelim.	California Infrstr & Eco Dev Bank	171.5	N.R.	N.R.	N.R.	N.R.	Wells Fargo & Co/—
Dec. 22	prelim.	Connecticut Hlth & Ed Facs Auth	400.0	N.R.	N.R.	N.R.	N.R.	J.P. Morgan Securities LLC/—
Dec. 22	prelim.	Georgia Housing Finance Authority	325.0	N.R.	N.R.	N.R.	N.R.	Citi/—
Dec. 22	prelim.	Harbor Pt Infrastructure Imp Dt	150.7	N.R.	N.R.	N.R.	N.R.	Citi/—
Dec. 22	prelim.	Houston Co-Texas	1,007.0	N.R.	N.R.	N.R.	N.R.	Barclays/—
Dec. 22	prelim.	Indiana Finance Authority	340.1	N.R.	N.R.	N.R.	N.R.	BoA Merrill/—
Dec. 22	prelim.	Metropolitan Transport Auth (MTA)	608.8	N.R.	N.R.	N.R.	N.R.	Goldman & Co/—
Dec. 22	prelim.	Montana Board of Housing	180.0	N.R.	N.R.	N.R.	N.R.	RBC Cptl Mkt/—
Dec. 22	prelim.	Nebraska Invest Fin Auth (NIFA)	448.1	N.R.	N.R.	N.R.	N.R.	J.P. Morgan Securities LLC/—
Dec. 22	prelim.	New Jersey Economic Dev Auth	183.2	N.R.	N.R.	N.R.	N.R.	RBC Cptl Mkt/—
Dec. 22	prelim.	New Jersey Economic Dev Auth	286.3	N.R.	N.R.	N.R.	N.R.	Wells Fargo & Co/—
Dec. 22	prelim.	New Jersey Hlth Care Fac Fin Au	175.0	N.R.	N.R.	N.R.	N.R.	Goldman & Co/—
Dec. 22	prelim.	Palomar Health	206.4	N.R.	N.R.	N.R.	N.R.	Citi/—
Dec. 22	prelim.	Railsplitter Tob Settlement Au	678.6	N.R.	N.R.	N.R.	N.R.	Jefferies LLC/—
Dec. 22	prelim.	Riverside Transportation Comm	393.4	N.R.	N.R.	N.R.	N.R.	Goldman & Co/—
Dec. 22	prelim.	San Francisco City/Co Public Util Comm	409.0	N.R.	N.R.	N.R.	N.R.	M. Stanley/—
Dec. 22	prelim.	South Miami Health Facs Auth	789.8	N.R.	N.R.	N.R.	N.R.	BoA Merrill/—
Dec. 22	prelim.	Tempe Industrial Dev Authority	233.0	N.R.	N.R.	N.R.	N.R.	Cain Brothers/—
Dec. 22	prelim.	Virginia Commonwealth Univ Hlth Sys	199.9	N.R.	N.R.	N.R.	N.R.	Wells Fargo & Co/—
Dec. 22	prelim.	Ward Co-North Dakota	363.1	N.R.	N.R.	N.R.	N.R.	Raymond James/—

Source: Thomson Reuters/Ipreo

NEW TO THE MARKET

Public Offerings of Stock

IPOs in the U.S. Market

Initial public offerings of stock expected this week; might include some offerings, U.S. and foreign, open to institutional investors only via the Rule 144a market; deal amounts are for the U.S. market only

Expected pricing date	Filed	Issuer/business	Symbol/primary exchange (mil.)	Shares	Pricing Range(\$)	Low/High	Bookrunner(s)
12/19	9/7	Adial Pharmaceuticals	ADIL	1.4	9.00/		Aegis Cptl,
		Manufacturer and developer of medications for addiction.	Nq		11.00		Maxim Grp, Dawson James Sec
12/19	11/16	Advantage Insurance	AVI	10.0	9.00/		Raymond James & Assoc,
		Provider of life insurance policies.	N		11.00		JMP Sec, B Riley FBR
12/20	11/13	LexinFintech Holdings	LX	24.0	9.00/		GS, BofA ML,
		Technology company offering an online loans broker platform.	Nq		11.00		DB, China Renaissance Ptnrs

THE OBJECTION RECIPIENTS A SALE OBJECTION SUCH PARTY FOREVER SHALL BE BARRED FROM ASSERTING, AT THE APPLICABLE SALE HEARING OR THEREAFTER, ANY OBJECTION TO THE RELIEF REQUESTED IN THE MOTION, OR TO THE CONSUMMATION AND PERFORMANCE OF THE APPLICABLE SALE TRANSACTION(S) CONTEMPLATED BY AN APPLICABLE ASSET PURCHASE AGREEMENT WITH A SUCCESSFUL BIDDER, INCLUDING THE TRANSFER OF THE APPLICABLE ASSETS TO THE APPLICABLE SUCCESSFUL BIDDER(S), FREE AND CLEAR OF ALL LIENS, CLAIMS, INTERESTS, AND ENCUMBRANCES PURSUANT TO SECTION 363(f) OF THE BANKRUPTCY CODE. Notwithstanding the foregoing or anything herein to the contrary, and as set forth below, the deadline to file an Adequate Assurance Objection in connection with a proposed Sale Transaction shall be:

January 31, 2018 at noon (prevailing ET) with respect to the Sale of any Apple Grove Assets; and

March 12, 2018 at noon (prevailing ET) with respect to the Sale of any other Assets (and any Residual Apple Grove Assets).

10. The hearings to approve the Sales and any Successful Bid(s) therefor shall take place on:

February 1, 2018 at 10:00 a.m. (prevailing ET) with respect to the Sale of any of the Apple Grove Assets; and

March 14, 2018 at 10:00 a.m. (prevailing ET) with respect to the Sale of any other Assets (and any Residual Apple Grove Assets), (as applicable

EXHIBIT 2

EXHIBIT 2

**AUTOMOTIVE PARTS ANTITRUST LITIGATION, 12-MD-02311,
INSTRUMENT PANEL CLUSTERS, 2:12-CV-00201-MOB-MKM**

**REQUESTS FOR EXCLUSION FROM THE DIRECT
PURCHASER YAZAKI SETTLEMENT CLASS**

1. FORD MOTOR COMPANY
2. GENERAL MOTORS LLC, GENERAL MOTORS COMPANY, GENERAL MOTORS HOLDINGS LLC
3. TOYOTA
 - Toyota Motor North America, Inc.
 - Toyota Motor Engineering & Manufacturing North America, Inc.
 - Toyota Motor Sales U.S.A., Inc.
 - Toyota Motor Manufacturing, Indiana, Inc.
 - Toyota Motor Manufacturing, Kentucky, Inc.
 - Toyota Motor Manufacturing
 - Toyota Motor Corporate Service
 - Toyota Motors of America
 - Toyota Motor Manufacturing de Baja California, S. de R.L. de C.V.
 - Toyota Motor Manufacturing, West Virginia, Inc.
 - Toyota Motor Manufacturing, Alabama, Inc.
 - Toyota Motor Manufacturing, Texas, Inc.
 - Toyota Motor Manufacturing Canada, Inc.
 - Toyota Motor Corporation
 - Toyota Motor Engineering
 - New United Motor Manufacturing, Inc.
 - Bodine Aluminum, Inc.
 - TABC, Inc.
 - Canadian Autoparts Toyota Inc.
 - Toyota Motor Manufacturing de Guanajuato, S.A. de C.V.
 - Toyota Motor Manufacturing California, Inc.
 - Toyota Motor Manufacturing, Northern Kentucky, Inc.