

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

IN RE AUTOMOTIVE PARTS ANTITRUST
LITIGATION

In Re: OXYGEN SENSORS

THIS RELATES TO:
ALL DIRECT PURCHASER ACTIONS

CASE NO. 12-MD-02311
HON. SEAN F. COX

2:15-cv-03101-SFC-RSW
2:15-cv-12918-SFC-RSW

**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION
OF NOTICE OF PROPOSED SETTLEMENTS WITH THE NGK AND
DENSO DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court’s Order dated May 24, 2022 (2:15-cv-03101, ECF No. 98) (the “Notice Order”), and Settlement Class members’ response to the notice program. As described more fully below, notice was mailed to 1,100 potential Settlement Class members and published in accordance with the Notice Order. No objections were filed to either of the proposed settlements, to the proposed plan for distribution of settlement funds, or to Settlement Class Counsel’s request for an award of attorneys’ fees and reimbursement of litigation costs and expenses, and service awards to the Class Representatives. Four (4) requests for exclusion from the NGK Settlement Class and nine (9) requests for exclusion from the DENSO Settlement Class have been submitted.

Settlement Class Counsel respectfully submit that the complete absence of objections and relatively low number of opt-out requests militate strongly in favor of approval of the proposed settlements, the proposed plan for distribution of settlement funds, and the request for attorneys’ fees and litigation costs and expenses, and service awards to the Class Representatives.

I. DISSEMINATION OF NOTICE TO THE CLASSES

Pursuant to the Court's Notice Order, on June 20, 2022, Epiq Class Action & Claims Solutions, Inc. ("Epiq"), the Notice and Claims Administrator retained by Direct Purchaser Plaintiffs, mailed 1,100 copies of the Notice of Proposed Settlements of Direct Purchaser Class Action with NGK and DENSO Defendants and Hearing on Settlement Approval and Related Matters, and Claim Form (the "Notice") to potential Settlement Class members by first class mail, postage prepaid. Declaration of Scott DiCarlo, Project Manager for Epiq. Exhibit 1 at ¶ 6. Epiq also re-mailed returned notices 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/OxygenSensors, 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 NGK and DENSO Defendants and Hearing on Settlement Approval and Related Matters ("Summary Notice") was published in *Automotive News* on June 27, 2022. *Id.* at ¶ 8. Additionally, an Informational Press Release was issued nationwide on June 27, 2022 via PR Newswire's "Auto Wire," which targets auto industry trade publications. *Id.*

Notice to the NGK and DENSO Settlement Classes under Fed. R. Civ. P. 23 has, therefore, been provided as ordered by the Court.

II. ABSENCE OF OBJECTIONS TO THE PROPOSED SETTLEMENTS, THE PROPOSED DISTRIBUTION PLAN, AND REQUEST FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES

The Notice advised that any objection to the proposed settlements, the proposed plan for distribution of settlement funds, or Settlement Class Counsel's request for an award of attorneys' fees and litigation costs and expenses, and service awards to the Class Representatives had to be

filed with the Clerk of Court and postmarked no later than August 8, 2022, with copies mailed to Settlement Class Counsel and to counsel for the Settling Defendants.

As of the date of the filing of this Report, no objection to the proposed settlements, the proposed plan for distribution of settlement funds, or the request for fees and expenses and service awards to the Class Representatives has been filed with the Court or received by Settlement Class Counsel.¹

III. REQUESTS FOR EXCLUSION

The Notice further advised that requests for exclusion from the NGK and DENSO Settlement Classes had to be mailed to Settlement Class Counsel and to counsel for the Settling Defendants, postmarked no later than August 8, 2022. As of the date of filing this Report, four (4) requests for exclusions from the NGK Settlement Class and nine (9) requests for exclusion from the DENSO Settlement Class have been submitted.²

Settlement Class Counsel respectfully submit that, for the reasons set forth in the Brief in Support of Direct Purchaser Plaintiffs' Motion for Final Approval of Proposed Settlements with the NGK and DENSO Defendants and Proposed Plan for Distribution of Settlement Funds (the "Final Approval Brief") (2:15-cv-03101, ECF No. 100), the proposed settlements are fair, reasonable, and adequate under the relevant criteria, and warrant final approval.

¹ Counsel for the DENSO and NGK Defendants have informed Settlement Class Counsel that their clients fulfilled their obligations under 28 U.S.C. § 1715 (the "Class Action Fairness Act of 2005" or "CAFA"), by disseminating the requisite notice to the appropriate federal and state officials at least ninety days prior to the final approval hearing.

² Exhibit 1 at ¶ 11. The entities that requested exclusion are set forth in Exhibit 2, and the Settlement Classes from which they opted out are reflected in Exhibit 3. One of the exclusion requests, by the "Nissan Entities," was submitted after the August 8, 2022 deadline. NGK and Settlement Class Counsel respectfully request that Nissan's request for exclusion be treated as if timely filed and accepted by the Court.

IV. THE REACTION OF MEMBERS OF THE SETTLEMENT CLASSES SUPPORTS APPROVAL OF THE SETTLEMENTS, THE PROPOSED PLAN FOR DISTRIBUTION, AND THE REQUEST FOR AN AWARD OF FEES AND EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES

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 settlements was mailed to 1,100 potential Settlement Class members, and a copy of the Notice was (and remains) posted on-line at www.AutoPartsAntitrustLitigation.com/OxygenSensors. The Summary Notice was published in *Automotive News* on June 27, 2022, and on that same day an Informational Press Release was issued nationwide via PR Newswire’s “Auto Wire,” which targets auto industry trade publications. The total absence of objections and relatively small number of opt-outs militate strongly in favor of approval of the proposed settlements, the proposed plan for distribution of settlement funds, and the request for attorneys’ fees and reimbursement of litigation costs and expenses, and service awards to the Class Representatives.

CONCLUSION

Based upon the foregoing, and for the reasons set forth in Direct Purchaser Plaintiffs' Final Approval Brief, and Motion for an Award of Attorneys' Fees and Reimbursement of Litigation Expenses, and Service Awards to the Class Representatives (2:15-cv-03101, ECF No. 101), Direct Purchaser Plaintiffs respectfully request that the Court grant final approval of the proposed settlements, the proposed plan for distribution of settlement funds, and the request for attorneys' fees and litigation costs and expenses, and service awards to the Class Representatives.

DATED: September 2, 2022

Respectfully Submitted,

/s/ David H. Fink

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CERTIFICATE OF SERVICE

I hereby certify that on September 2, 2022, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to all counsel of record registered for electronic filing.

By: /s/Nathan J. Fink
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EXHIBIT 1

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

**In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

:
:
: **2:12-MD-02311**
: **Honorable Sean F. Cox**
:

In Re: OXYGEN SENSORS

:
:
: **2:15-cv-03101-SFC-RSW**
: **2:15-cv-12918-SFC-RSW**
:

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

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**DECLARATION OF SCOTT DICARLO RE DISSEMINATION OF NOTICE TO THE DIRECT
PURCHASER NGK AND DENSO CLASSES**

I, Scott DiCarlo, hereby declare as follows:

1. I am a Project Manager for Epiq Class Action & Claims Solutions, Inc. ("Epiq"), the Settlement Administrator in the above-captioned case. I am familiar with the actions taken by Epiq with respect to the proposed settlements reached in this case between the Direct Purchaser Plaintiffs and the NGK and DENSO 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 and Claim Form (“Claim Package”) to be sent to putative Class Members;
 - b. Searching the National Change of Address (“NCOA”) database for updated addresses, if any, for putative Class Members;
 - c. Mailing the Claim Package by USPS First-class mail to putative Class Members;
 - d. Causing the Summary Publication Notice to be placed in one edition of *Automotive News*
 - e. Issuing an informational press release via *PR Newswire*;
 - f. Maintaining a toll-free telephone number with customer service telephone agents and an option to request a call back if reached during non-business hours;
 - g. Maintaining an informational website that provides the public access to pertinent documents and settlement information.

CLASS NOTICE

5. In preparation for mailing the Claim Package, Epiq received lists of potential Settlement Class members from Settlement Class Counsel. Epiq then submitted the names and addresses of those

potential Class Members to cross-reference with the NCOA database for updated address information. By eliminating duplicate records and invalid mailing addresses, Epiq refined the database to include 1,110 names and addresses of potential Class Members

6. On June 20, 2022 Epiq mailed the Claim Packages by first class mail, postage prepaid, to the 1,110 potential Class Members. A copy of the Claim Package is attached hereto as Exhibit A.

7. As of August 25, 2022, Epiq has received a total of 263 Claim Packages returned by the U.S. Postal Service as undeliverable and has re-mailed 34 Claim Packages to potential Class Members. As of August 25, 2022, 229 Claim Packages remain undeliverable.

PUBLICATION NOTICE

8. Epiq caused the publication of the Summary Publication Notice in one edition of *Automotive News* on June 27, 2022. Additionally, an Informational Press Release was issued via PR Newswire's "Auto Wire" on June 27, 2022. Confirmation of the publication and copies of the Summary Publication Notice as it appeared in *Automotive News*, and the Informational Notice are attached hereto as Exhibit B.

SETTLEMENT WEBSITE

9. On June 20, 2022, 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/OxygenSensors. The website provides general case information and links to important documents, including the Settlement Agreement, the Notice and Claim Form, and other documents related to the settlement.

10. Between June 20, 2022 and August 25, 2022 there were 2,199 views and 1,226 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 August 8, 2022. As of August 30, 2022, Epiq has received 4 requests for exclusion from the NGK Settlement Class and 9 requests for exclusion from the DENSO Settlement Class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 30th day of August 2022 in Maple Valley, Washington.



Scott DiCarlo
Project Manager, Client Services | Epiq

EXHIBIT A

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

**IN RE AUTOMOTIVE PARTS ANTITRUST
LITIGATION**

IN RE: OXYGEN SENSORS

IN RE: SPARK PLUGS

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

**Case No. 12-MD-02311
Honorable Sean F. Cox**

**2:15-cv-03101-SFC-RSW
2:15-cv-12918-SFC-RSW**

**2:15-cv-03001-SFC-RSW
2:15-cv-11774-SFC-RSW**

NOTICE

NOTICE OF PROPOSED SETTLEMENTS OF DIRECT PURCHASER CLASS ACTIONS WITH NGK DEFENDANTS AND DENSO DEFENDANTS, AND HEARING ON:

- (1) APPROVAL OF PROPOSED SETTLEMENTS WITH NGK DEFENDANTS AND DENSO DEFENDANTS;**
- (2) PLANS OF DISTRIBUTION OF NGK AND DENSO SETTLEMENT FUNDS IN OXYGEN SENSORS AND SPARK PLUGS CASES; AND**
- (3) MOTIONS OF SETTLEMENT CLASS COUNSEL FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION COSTS AND EXPENSES, AND SERVICE AWARDS TO THE CLASS REPRESENTATIVES.**

TO: ALL INDIVIDUALS AND ENTITIES THAT PURCHASED OXYGEN SENSORS OR SPARK PLUGS IN THE UNITED STATES DIRECTLY FROM DEFENDANTS (OR THEIR PARENTS, SUBSIDIARIES, AFFILIATES, OR JOINT VENTURES) FROM JANUARY 1, 2000 THROUGH FEBRUARY 4, 2019.

PLEASE READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS MAY BE AFFECTED BY LITIGATION NOW PENDING IN THIS COURT.

WHAT IS THE PURPOSE OF THIS NOTICE AND WHY WAS IT SENT TO ME?

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Eastern District of Michigan, Southern Division (the "Court"). The purpose of this Notice is to inform you of a hearing before the Court to consider:

- (1) Proposed settlements with (a) Defendants NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; and NTK Technologies, Inc. (collectively, "NGK" or the "NGK Defendants"); and (b) Defendants DENSO Corporation; DENSO International America, Inc.; DENSO Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation); DENSO Automotive Deutschland GmbH; DENSO Products & Services Americas, Inc.; ASMO Co., Ltd.; ASMO North America, LLC; ASMO Greenville of North Carolina, Inc.; and ASMO Manufacturing, Inc. (collectively, "DENSO" or the "DENSO Defendants"), in the following cases: (a) *In Re: Oxygen Sensors* (Case No. 2:15-cv-03101-SFC-RSW) and (b) *In Re: Spark Plugs* (Case No. 2:15-cv-03001-SFC-RSW);

- (2) Proposed plans of distribution of settlement proceeds from settlements with the NGK and DENSO Defendants in the *Oxygen Sensors* and *Spark Plugs* cases, and proposed Claim Forms that you may submit in order to share in the settlement proceeds; and
- (3) Settlement Class Counsel's motions for an award of attorneys' fees, reimbursement of litigation costs and expenses, and service awards for the Class Representatives in each case.

This Notice provides information concerning the proposed settlements, the proposed plans of distribution, and the motion for attorneys' fees and reimbursement of litigation costs and expenses, and service awards. The Notice also advises you of your rights to: participate in the settlement claims process; exclude yourself from any or all four of the Settlement Classes; and object to the terms of the proposed settlements, the plans of distribution, and the requests for fees, costs and expenses, and service awards for the Class Representatives in connection with the Court hearing on these matters.

BACKGROUND

Plaintiffs have reached separate settlements with the NGK Defendants and the DENSO Defendants in *In Re: Oxygen Sensors* and *In Re: Spark Plugs*, totaling \$1,400,000. Under the terms of the proposed settlements, NGK will pay \$600,000 and DENSO will pay \$100,000 in *In Re: Oxygen Sensors* (the "Oxygen Sensors Settlement Fund"), and NGK will pay \$600,000 and DENSO will pay \$100,000 in *In Re: Spark Plugs* (the "Spark Plugs Settlement Fund"). The Court has preliminarily approved each of these settlements.

This litigation and the four proposed settlements are part of coordinated legal proceedings involving a number of parts used in motor vehicles. The proposed settlements relate solely to Oxygen Sensors and Spark Plugs, respectively, that were purchased in the United States **directly** from any Defendant, as defined in the settlements, or, depending on the specific settlement agreement, their respective parents, subsidiaries, affiliates, or joint ventures.

The proposed settlements do not relate to, and have no effect upon, cases involving any products other than Oxygen Sensors and Spark Plugs.

If you are a member of any or all of the four proposed settlement classes (defined below), you have the rights and options summarized here:

- You may remain in any or all of the four proposed Oxygen Sensors and Spark Plugs Settlement Classes and be eligible to share in the proceeds of, and be bound by the terms of, those settlements in which you elect to remain;
- You may exclude yourself from any or all of the four proposed Oxygen Sensors and Spark Plugs Settlement Classes, in which case you will **not** be bound by any settlement from which you exclude yourself and will **not** be eligible to share in the proceeds of that settlement;
- If you remain in any or all of the four proposed Oxygen Sensors and Spark Plugs Settlement Classes, you may object to the proposed settlement or to the proposed plan of distribution of the settlement fund(s) in the case(s) in which you remain. You may also appear at the hearing where the Court will consider these matters;
- If you remain in any or all of the four Oxygen Sensors or Spark Plugs Settlement Classes, you may enter an appearance through your own counsel at your own expense in the case(s) in which you remain; and
- Any Settlement Class member who wishes to participate in the distribution of the NGK and/or DENSO Settlement Funds must complete and submit a copy of the Claim Form in each of those cases in which they wish to participate on or before September 30, 2022.

WHO IS IN THE SETTLEMENT CLASSES?

The Court has provisionally certified the following Direct Purchaser Settlement Classes, for the purpose of disseminating notice of the proposed Oxygen Sensors settlements.

The NGK Oxygen Sensors Settlement Class is defined as follows:

All individuals and entities who purchased Oxygen Sensors in the United States directly from one or more Defendant(s) (or any of their controlled subsidiaries, affiliates, or joint ventures) between January 1, 2000, and February 4, 2019. Excluded from the Settlement Class are Defendants and their present and former parent companies, subsidiaries, and affiliates; federal governmental entities and instrumentalities of the federal government; and states and their subdivisions, agencies and instrumentalities.

For purposes of the NGK-Oxygen Sensors Settlement Class definition set forth above, the following entities are Defendants: DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; Hitachi, Ltd.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; Robert Bosch GmbH; Robert Bosch LLC; and their respective subsidiaries, affiliates, and joint ventures.

The DENSO Oxygen Sensors Settlement Class is defined as follows:

All individuals and entities who purchased Oxygen Sensors in the United States directly from one or more Defendant(s) (or their subsidiaries, affiliates, or joint ventures) from January 1, 2000 through February 4, 2019. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries, and affiliates; federal governmental entities and instrumentalities of the federal government; and states and their subdivisions, agencies and instrumentalities.

For purposes of the DENSO Oxygen Sensors Settlement Class definition set forth above, the following entities are Defendants: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; Hitachi, Ltd.; and their parents, subsidiaries, affiliates, and joint ventures.

Oxygen Sensors are defined as electronic sensors located before and after the catalytic converter in the exhaust system used to measure the amount of oxygen in the exhaust. Oxygen Sensors provide signals or data to the automobile's engine management computer, which then adjusts the ratio of air/fuel injected into the engine to compensate for excess air or excess fuel.

Plaintiffs KMB/CT, Inc. d/b/a KMB Warehouse Distributors, Inc. ("KMB Warehouse") and Hopkins Auto Supply, Inc. d/b/a Thrifty Auto Supply ("Thrifty Auto Supply") have been appointed by the Court to serve as Class Representatives for the NGK Oxygen Sensors Settlement Class and Plaintiffs All European Auto Supply, Inc. ("AEAS") and Irving Levine Automotive Distributors, Inc. ("Irving Levine") have been appointed as Class Representatives for the DENSO Oxygen Sensors Settlement Class.

The NGK Spark Plugs Settlement Class is defined as follows:

All individuals and entities who purchased Spark Plugs in the United States directly from one or more of the Defendants (or any of their controlled subsidiaries, affiliates, or joint ventures) between January 1, 2000, and February 4, 2019. Excluded from the Settlement Class are Defendants and their present and former parent companies, subsidiaries, and affiliates; federal governmental entities and instrumentalities of the federal government; and states and their subdivisions, agencies and instrumentalities.

For purposes of the NGK Spark Plugs Settlement Class, the following entities are Defendants: DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; Robert Bosch GmbH; Robert Bosch LLC; and their respective subsidiaries, affiliates, and joint ventures.

The DENSO Spark Plugs Settlement Class is defined as follows:

All individuals and entities who purchased Spark Plugs in the United States directly from one or more of the Defendant(s) (or their subsidiaries, affiliates, or joint ventures) from January 1, 2000 through February 4, 2019. Excluded from the Settlement Class are Defendants and their present and former parent companies, subsidiaries, and affiliates; federal governmental entities and instrumentalities of the federal government; and states and their subdivisions, agencies and instrumentalities.

For purposes of the DENSO Spark Plugs Settlement Class definitions set forth above, the following entities are Defendants: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; and their parents, subsidiaries, affiliates, and joint ventures.

Spark Plugs are defined as engine components for delivering high electric voltage from the ignition system to the combustion chamber of an internal combustion engine. They ignite the compressed fuel/air mixture with an electric spark while containing combustion pressure within the engine. Spark Plugs have a basic manufacturing design composed primarily of a shell, an insulator, a center electrode and an external (ground) electrode.

Plaintiffs Thrifty Auto Supply and Dyke, Inc. (“Dyke”) have been appointed by the Court to serve as Class Representatives for the NGK Spark Plugs Settlement Class and Plaintiffs Thrifty Auto Supply, Irving Levine, and KMB/CT, Inc. have been appointed by the Court to serve as Class Representatives for the DENSO Spark Plugs Settlement Classes.

The Court has appointed the law firms of Freed Kanner London & Millen LLC; Kohn, Swift & Graf, P.C.; Preti, Flaherty, Beliveau & Pachios LLP; and Spector Roseman & Kodroff, P.C. to serve as “Co-Lead Settlement Class Counsel” for all four of the Oxygen Sensors and Spark Plugs Settlement Classes.

WHAT IS THIS LITIGATION ABOUT?

In May 2015, Plaintiffs filed separate class action lawsuits against Defendants on behalf of direct purchasers of Oxygen Sensors and on behalf of direct purchasers of Spark Plugs. Plaintiffs allege that Defendants, including NGK and DENSO, engaged in separate conspiracies to suppress and eliminate competition for Oxygen Sensors and Spark Plugs by agreeing to raise, fix, maintain, and/or stabilize prices, rig bids, and allocate markets and customers for Oxygen Sensors and Spark Plugs sold in the United States, in violation of federal antitrust laws. Plaintiffs further allege that because of the conspiracies, they and other direct purchasers of Oxygen Sensors and Spark Plugs were injured by paying more for those products than they would have paid in the absence of the alleged illegal conduct. Plaintiffs seek recovery of treble damages, together with the costs of bringing the lawsuit and attorneys’ fees.

DENSO and NGK deny these allegations and liability and have asserted defenses to these claims. DENSO and NGK have agreed to settle these cases to avoid the expense and burden of further litigation. The Court has not issued any findings or rulings with respect to the merits of Plaintiffs’ claims or DENSO’s and NGK’s defenses.

WHAT RELIEF DO THE PROPOSED SETTLEMENTS PROVIDE?

In 2019, Plaintiffs entered into settlements with the DENSO Defendants to settle their Oxygen Sensors claims for \$100,000 and their Spark Plugs claims for \$100,000. These settlements are part of a larger settlement with the DENSO Defendants (the “Global Settlement”) that resolved class action lawsuits filed on behalf of direct purchasers of various motor vehicle parts manufactured and sold by the DENSO Defendants in seventeen cases (“Collective Actions”). Under the terms of the Global Settlement, DENSO agreed to pay \$2,100,000 and provide substantial cooperation to assist Plaintiffs in the prosecution of their claims against the remaining non-settling Defendants in the Collective Actions, should the need for such cooperation arise. Final approval has already been granted in 15 of the 17 cases that make up the Collective Actions. The *Oxygen Sensors* and *Spark Plugs* settlements, if approved by the Court, will resolve Plaintiffs’ claims against DENSO in all of the Collective Action cases.

In January 2022, Plaintiffs entered into separate settlements with the NGK Defendants to settle their Oxygen Sensors claims for \$600,000 and their Spark Plugs claims for \$600,000.

This Notice is only a summary of the terms of the proposed settlements. Each of the NGK and DENSO settlement agreements in *Oxygen Sensors* and *Spark Plugs* contains other important provisions, including the release of certain claims against the NGK and DENSO Defendants (and companies and people affiliated with them).

For the complete terms of the settlements, you are referred to the settlement agreements, which are on file with the Clerk of Court and are available on-line at www.AutoPartsAntitrustLitigation.com. The proposed NGK and DENSO settlements must receive final approval by the Court to become effective.

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

HOW DO I REMAIN IN THE SETTLEMENT CLASSES AND WHAT HAPPENS IF I DO?

If you are a member of any or all of the four NGK or DENSO Settlement Classes as defined above, you will automatically remain in those Settlement Classes unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time with respect to that Settlement Class, and your interests will be represented by the Class Representatives for the Settlement Class and by Settlement Class Counsel. If you remain in any of the NGK or DENSO Settlement Classes and that proposed settlement is approved and becomes effective, you will be bound by its terms, including the release provisions, whether or not you receive a share of the settlement proceeds attributable to that settlement.

You will have no responsibility to individually pay attorneys' fees or expenses. Any such fees and expenses will be paid solely from amounts obtained from the NGK and DENSO Defendants, whether by settlement or judgment, and must be approved by the Court after notice to you and a hearing. If you choose, you may also have your own attorney enter an appearance on your behalf and at your expense.

HOW WILL THE SETTLEMENT FUNDS BE DISTRIBUTED?

The Oxygen Sensors and Spark Plugs Settlement Funds, with accrued interest, less any amounts approved by the Court for settlement administration costs and expenses (the "Net Settlement Funds") will be distributed among Settlement Class members who complete and timely submit a copy of the Claim Form for that case that is included with this Notice, **postmarked on or before September 30, 2022**.

The Net Settlement Funds in the *Oxygen Sensors* and *Spark Plugs* cases will be distributed *pro rata* to all Claimants in that case based upon their **direct** purchases of Oxygen Sensors and Spark Plugs, respectively, in the United States from the Defendants and their parents, subsidiaries, affiliates and/or joint ventures during the applicable time period, as defined above, for that case. The distributions in the *Oxygen Sensors* and *Spark Plugs* cases will take place as soon as practicable after review, determination, and audit of the Claim Forms by the Settlement Administrator and approval by the Court of the Settlement Administrator's recommendations as to the amounts to be paid to the Claimants in that case.

Do not dispose of any document that reflects your purchases of Oxygen Sensors or Spark Plugs in the United States directly from the Defendants (or their parents, subsidiaries, affiliates, or joint ventures) during the applicable time period for each Settlement Class, as defined above. You may need those documents to complete and substantiate your Claim Forms, which will be subject to inquiry and verification.

WHAT IF I DO NOT WANT TO REMAIN IN ONE OR MORE OF THE SETTLEMENT CLASSES?

You may exclude yourself from any or all four of the Oxygen Sensors or Spark Plugs Settlement Classes. If you wish to exclude yourself from any or all of the Oxygen Sensors or Spark Plugs Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than August 8, 2022** to Settlement Class Counsel, and to counsel for the NGK and/or DENSO Defendants, at the addresses set forth below, and to the following address:

Oxygen Sensors and Spark Plugs Direct Purchaser Antitrust Litigation
P.O. Box 4234
Portland, OR 97208-4234

Your request for exclusion must identify the Settlement Class or Classes from which you are seeking exclusion and must include the full name and address of the purchaser (including any predecessor or successor entities and any trade names). For each Settlement Class for which you are requesting exclusion, you are also requested to identify: 1) the Defendant(s) (or parent, subsidiary, affiliate, or joint venture) from which you purchased the motor vehicle part(s) during the relevant time period (defined above), 2) the motor vehicle part(s) purchased during the relevant

time period (defined above), and 3) the dollar amount of your purchases. If you validly exclude yourself from any or all four of the Settlement Classes, you will not be bound by any decision concerning the Settlement Class or Classes from which you exclude yourself and you may pursue individually and at your own expense any claims you may have against NGK and/or DENSO in that specific case, but you will not be eligible to share in the settlement proceeds attributable to that case.

REQUEST FOR ATTORNEYS' FEES AND EXPENSES, AND SERVICE AWARDS

Settlement Class Counsel, together with other firms that have worked on this litigation, will file petitions for an award of attorneys' fees and reimbursement of their costs and expenses in prosecuting each of the cases. Each petition of Settlement Class Counsel for attorneys' fees will not exceed 33 percent (33%) of the respective Oxygen Sensors Settlement Fund and the Spark Plugs Settlement Fund.

Settlement Class Counsel will request service awards from the Oxygen Sensors Settlement Fund for Plaintiffs KMB Warehouse, Thrifty Auto Supply, Dyke, AEAS, and Irving Levine, which were appointed by the Court to serve as Class Representatives for the Oxygen Sensors Settlement Classes, not to exceed \$7,500 for each Class Representative. Settlement Class Counsel will also request service awards from the Spark Plugs Settlement Fund for Thrifty Auto Supply, Dyke, Irving Levine, and KMB/CT, Inc., which were appointed by the Court to serve as Class Representatives for the Spark Plugs Settlement Classes, not to exceed \$7,500 for each Class Representative.

The applications for attorneys' fees and litigation costs and expenses and service awards will be filed on or before July 18, 2022. If you remain a member of any of the four Settlement Classes and you wish to object to the requests for fees and expenses or service awards, you must do so in writing in accordance with the procedures for objections set forth below. If you do not oppose any of these requests, you do not need to take any action in that regard.

WHEN WILL THE COURT CONSIDER THESE MATTERS, AND HOW CAN I TELL THE COURT WHAT I THINK ABOUT THE SETTLEMENTS?

The Court will hold a hearing on September 15, 2022, at 2:00 p.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 817 (or such other courtroom as may be assigned for the hearing), to determine whether to approve: the proposed NGK and DENSO settlements; the proposed plans of distribution of the NGK and DENSO Settlement Funds in the *Oxygen Sensors* and *Spark Plugs* cases; and Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses, and service awards for the Class Representatives. If the Court believes that it is appropriate, the hearing may be conducted remotely by telephone or other electronic means. If the Court determines to hold the hearing remotely, Settlement Class Counsel shall post that information on the website devoted to the direct purchaser litigation (www.AutoPartsAntitrustLitigation.com) and provide any Settlement Class member that has informed the Court that it intends to participate at the hearing the information required to do so remotely. The hearing may be rescheduled, continued, or adjourned, and the courtroom assigned for the hearing may be changed, without further notice to you.

If you remain a member of any or all four of the Oxygen Sensors or Spark Plugs Settlement Classes and you wish to object to a proposed settlement or proposed plan of distribution in the *Oxygen Sensors* or *Spark Plugs* cases, you must do so in writing and at your own expense. Any such objection must: 1) specify which settlement(s) are being objected to by including the caption of the specific case(s) to which you are objecting, 2) be signed, and 3) be **filed no later than August 8, 2022**, 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 August 8, 2022**:

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

Joseph C. Kohn
KOHN, SWIFT & GRAF, P.C.
1600 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 238-1700

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

Eugene A. Spector
SPECTOR ROSEMAN & KODROFF, P.C.
Two Commerce Square
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496-0300

Co-Lead Counsel for the Direct Purchaser Plaintiff Settlement Classes

Steven F. Cherry
WILMER CUTLER PICKERING
HALE AND DORR LLP
1875 Pennsylvania Avenue, NW
Washington, DC 20006
Telephone: (202) 663-6000

Counsel for the DENSO Defendants

Eric P. Enson
JONES DAY
555 S. Flower Street, 50th Floor
Los Angeles, CA 90071
Telephone: (213) 243-2304

Ellen Maxwell-Hoffman
BOWLES RICE LLP
600 Quarrier Street
Charleston, WV 25301
Telephone: (304) 347-1186

Counsel for the NGK Defendants

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

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: Oxygen Sensors and Spark Plugs Direct Purchaser Antitrust Litigation, P.O. Box 4234, Portland, OR 97208-4234.

The Settlement Agreements, 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 Agreements and certain other documents relevant to this litigation are available at www.AutoPartsAntitrustLitigation.com. Questions concerning the proposed Oxygen Sensors and Spark Plugs Settlements, 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: June 20, 2022

BY ORDER OF:

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



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

IN RE AUTOMOTIVE PARTS ANTITRUST
LITIGATION

IN RE: OXYGEN SENSORS

THIS RELATES TO:
ALL DIRECT PURCHASER ACTIONS

Case No. 12-MD-02311
Honorable Sean F. Cox

2:15-cv-03101-SFC-RSW
2:15-cv-12918-SFC-RSW

IMPORTANT NOTICE TO PURCHASERS OF OXYGEN SENSORS
PLEASE READ THIS ENTIRE DOCUMENT CAREFULLY

YOU MUST COMPLETE AND SUBMIT A CLAIM FORM, POSTMARKED ON OR BEFORE
SEPTEMBER 30, 2022, TO BE ELIGIBLE TO SHARE IN THE DISTRIBUTION OF THE
PROCEEDS OF SETTLEMENTS WITH THE DENSO AND NGK DEFENDANTS

INSTRUCTIONS FOR COMPLETING A CLAIM FORM

If you are a **direct** purchaser of Oxygen Sensors (and you have remained in either or both of the DENSO and NGK Settlement Classes), you may be entitled to share in the distribution of the proceeds of settlements with the DENSO and NGK Defendants (the "Settlement Funds"). To receive your share of the Settlement Funds, you or a person you have authorized to act on your behalf must submit a timely and valid Claim Form in accordance with the instructions set forth herein.

Please note that if you have chosen to be excluded from the DENSO or NGK Settlement Classes, you may not participate in the distribution of the settlement funds attributable to the settlement with that Defendant.

Eligibility: You are eligible to submit a claim seeking to share in the distribution of the DENSO or NGK Settlement Fund if, during the period from January 1, 2000 through February 4, 2019 (the "Class Period"), you purchased Oxygen Sensors in the United States **directly** from one or more of the following companies, their parents (for the DENSO Settlement Class), subsidiaries (for the DENSO Settlement Class), controlled subsidiaries (for the NGK Settlement Class), affiliates (for each Settlement Class), or joint ventures (for each Settlement Class): (1) DENSO Corporation; (2) DENSO International America, Inc.; (3) DENSO Products & Services Americas, Inc.; (4) Hitachi, Ltd.; (5) NGK Spark Plug Co., Ltd.; (6) NGK Spark Plugs (U.S.A.) Holding, Inc.; (7) NGK Spark Plugs (U.S.A.), Inc.; (8) NTK Technologies, Inc.; (9) Robert Bosch GmbH; or (10) Robert Bosch LLC.

The meaning of the term "Oxygen Sensors" is defined in each settlement agreement, but generally means electronic sensors located before and after the catalytic converter in the exhaust system used to measure the amount of oxygen in the exhaust. Oxygen Sensors provide signals or data to the automobile's engine management computer, which then adjusts the ratio of air/fuel injected into the engine to compensate for excess air or excess fuel.

Submission of Claim: If you are submitting a Claim Form, the Claim Form must be signed and verified by the claimant or a person authorized to act on behalf of the claimant, and must be **postmarked no later than September 30, 2022**, and addressed to:

Settlement Administrator
Oxygen Sensors Direct Purchaser Antitrust Litigation
PO Box 4234
Portland, OR 97208-4234



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

A Claim Form received by the Settlement Administrator shall be deemed to have been submitted when it is posted if it is addressed in accordance with the above instructions and mailed by **September 30, 2022**, and a postmark is indicated on the envelope. In all other cases, the Claim Form shall be deemed to have been submitted when it is actually received by the Settlement Administrator.

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

Photocopies of Form: A claim may be submitted on a photocopy of the Claim Form. Other forms, or altered versions of the Claim Form, will not be accepted. Additional copies of the Claim Form may be requested from the Settlement Administrator or obtained at the settlement website www.AutoPartsAntitrustLitigation.com/OxygenSensors.

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

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

ONLY INCLUDE IN YOUR CLAIM FORM PURCHASES OF OXYGEN SENSORS IN THE UNITED STATES *DIRECTLY* FROM ONE OR MORE OF THE COMPANIES LISTED ABOVE UNDER THE "ELIGIBILITY" HEADING DURING THE PERIOD FROM JANUARY 1, 2000 TO FEBRUARY 4, 2019.

INDIRECT PURCHASES ARE NOT ELIGIBLE.

Schedule of Purchases: General Worksheet: Please fill out the Schedule of Purchases: General Worksheet with the company names, the quantity of products purchased, and purchase totals for each year of the Class Period (January 1, 2000 through February 4, 2019) in which you directly purchased Oxygen Sensors in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at info@AutoPartsAntitrustLitigation-OS.com, or by calling 1-877-890-8128.

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

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

Keep a Copy: You should keep a copy of your completed Claim Form for your records. You should also retain all of your documents and records relating to **direct** purchases of Oxygen Sensors in the United States from any of the listed companies during the period from January 1, 2000 through February 4, 2019. As part of the claims administration process, you may be required to verify certain information about your Oxygen Sensors purchases such as the quantity of product(s) purchased, the type of product(s) purchased, the dollar amount(s), the date(s) of the purchases, and the company(ies) from which you **directly** purchased the Oxygen Sensors. You may be asked to submit purchase records to verify your claim.

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

Assistance: If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at: Oxygen Sensors Direct Purchaser Antitrust Litigation, P.O. Box 4234, Portland, OR 97208-4234, via email at info@AutoPartsAntitrustLitigation-OS.com, or by calling 1-877-890-8128. You may also contact your own attorney or other person to assist you, at your own expense.

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

I. IDENTITY OF CLAIMANT

AG5463 v.07

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

[illegible]

V. EXCLUSION FROM SETTLEMENT CLASS

☐ None

VI. SUBSTITUTE FORM W-9 AND CERTIFICATION

Claimant's federal taxpayer identification number is:

$$\begin{array}{|c|c|} \hline & \\ \hline \end{array} - \begin{array}{|c|c|c|c|c|c|} \hline & & & & & \\ \hline \end{array} \quad \text{or} \quad \begin{array}{|c|c|c|} \hline & & \\ \hline \end{array} - \begin{array}{|c|c|} \hline & \\ \hline \end{array} - \begin{array}{|c|c|c|c|} \hline & & & \\ \hline \end{array}$$

[illegible]

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



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

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

Date:

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MM

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DD

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YYYY

Signature:

--

Printed Name:

--

Title of Position (If claimant is not an individual):

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SCHEDULE OF PURCHASES: GENERAL WORKSHEET

Please fill out the charts on both sides (front and back) of the Schedule of Purchases: General Worksheet, listing the quantity of products purchased and purchase totals for each Defendant (including their parents, subsidiaries, affiliates, and joint ventures) and year of the Class Period (January 1, 2000 through February 4, 2019) in which you **directly** purchased Oxygen Sensors in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at info@AutoPartsAntitrustLitigation-OS.com, or by calling 1-877-890-8128.

Year Purchased	Bosch Defendants ¹		DENSO Defendants ²		Hitachi, Ltd.		NGK Defendants ³	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2000		(\$)		(\$)		(\$)		(\$)
2001		(\$)		(\$)		(\$)		(\$)
2002		(\$)		(\$)		(\$)		(\$)
2003		(\$)		(\$)		(\$)		(\$)
2004		(\$)		(\$)		(\$)		(\$)
2005		(\$)		(\$)		(\$)		(\$)
2006		(\$)		(\$)		(\$)		(\$)
2007		(\$)		(\$)		(\$)		(\$)

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

¹ “Bosch Defendants” refers to and includes Robert Bosch GmbH and Robert Bosch LLC.

² DENSO Defendants” refers to and includes DENSO Corporation; DENSO International America, Inc; and DENSO Products & Services America’s, Inc. (f/k/a DENSO Sales California, Inc.).

³ “NGK Defendants” refers to and includes NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; and NTK Technologies, Inc.



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Year Purchased (cont.)	Bosch Defendants		DENSO Defendants		Hitachi, Ltd.		NGK Defendants	
	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased	Est. Quantity of Products Purchased	Amount Purchased
2008		(\$)		(\$)		(\$)		(\$)
2009		(\$)		(\$)		(\$)		(\$)
2010		(\$)		(\$)		(\$)		(\$)
2011		(\$)		(\$)		(\$)		(\$)
2012		(\$)		(\$)		(\$)		(\$)
2013		(\$)		(\$)		(\$)		(\$)
2014		(\$)		(\$)		(\$)		(\$)
2015		(\$)		(\$)		(\$)		(\$)
2016		(\$)		(\$)		(\$)		(\$)
2017		(\$)		(\$)		(\$)		(\$)
2018		(\$)		(\$)		(\$)		(\$)
1/1/2019 through 2/4/2019		(\$)		(\$)		(\$)		(\$)
TOTAL AMOUNT PURCHASED (Required)								

EXHIBIT B

CONFIRMATION OF PUBLICATION

IN THE MATTER OF: *Auto Parts – Oxygen Sensors & Spark Plugs*

I, Kathleen Komraus, hereby certify that

(a) I am the Media & Design Manager at Epiq Class Action & Claims Solutions, a noticing administrator, and;

(b) The Notice of which the annexed is a copy was published in the following publications on the following date:

6.27.2022 – Automotive News

6.27.2022 – PR Newswire's Auto Wire

X *Kathleen Komraus*
(Signature)

Media & Design Manager
(Title)

Automotive News

JUNE 27, 2022

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\$169/YEAR; \$6/COPY



Bruton Smith helped make stock car racing a multibillion-dollar business.

Smith a 'visionary' in retail and racing

Sonic founder was a giant of NASCAR

Melissa Burden
mburden@crain.com

Bruton Smith, a pioneer-turned-titan in both auto retailing and motorsports, leveraged small roles selling cars and promoting dirt-track races as a youth to create two moneymaking business giants.

Smith, founder of Sonic Automotive Inc., NASCAR Hall of Famer, racetrack owner and philanthropist, died Wednesday, June 22, at 95.

Smith launched Sonic, of Charlotte, N.C., as a public company in November 1997 with 20 dealerships. It is the seventh-largest U.S. auto retailer today, with 111 dealerships after completing the mega acquisition of RFJ Auto Partners Holdings Inc. in 2021. Sonic also owns and operates the EchoPark standalone brand of used-vehicle-only stores.



Penske: Smith set new paths

Smith, a giant in racing circles who helped turn stock car racing into a multibillion-dollar business, also started Speedway Motorsports Inc., the first motorsports company to go public in 1995. (It went private in 2019.) In 1992, he became the first track owner to erect and shine lights on the course for night races.

Penske Automotive Group Inc. CEO Roger Penske described Smith as an innovator and leader.

"We shared a passion for motorsports

see **SMITH**, Page 41

SPECIAL SECTION | THE SUPPLY CHAIN OF THE FUTURE

Suppliers now — and suppliers ahead

The 2022 top suppliers ranking finds many of them behind on profits | **PAGE 3** | while the big picture on supply chains reveals that a world of change is coming. | **PAGES 17-29** |

FUTURE FOCUSED

Seating, interior supplier Toyota Boshoku innovates to grow sales for autonomous era

Toyota Boshoku branding chief Richard Chung, with the MX221 concept: "We want to create new demand."

Hans Greimel
hgreimel@crain.com

TOYOTA BOSHOKU
"DIVERSATILITY RIDE HAIRING CONCEPT"

AUTOMOTIVE NEWS ILLUSTRATION

Fin: Japanese suppliers can lag

challenges for automakers and parts suppliers alike. With more people hailing rides and being chauffeured around, fewer will be buying their own cars. Vehicle sales as we know them could shift into reverse.

In response, Toyota Boshoku, the main seating and interior systems supplier for Toyota Motor Corp., is thinking unconventionally. Rather than potentially losing business in the new era, it sees big gains.

"Our challenge is, how do we get in that pie, expand our business and still be a significant player?" Richard Chung, chief branding officer and chief for interior space for Boshoku's Interior Space Visioneering Center, told *Automotive News*.

"We want to be known as the interior space creator in the mobility world."

The strategy banks on the assumption that the

see **BOSHOKU**, Page 28



National average fuel prices in the U.S. are near or above \$5 a gallon.

Gas prices not denting demand for new cars

Better efficiency stalls shift from SUVs, trucks

Michael Martinez
mdmartinez@crain.com

Record gasoline prices have some U.S. consumers considering electric vehicles earlier than anticipated, but the surge has not roiled the industry or prompted the kind of seismic shift in buying habits seen during previous price increases.

In 2008, the cost of gasoline peaked at more than \$4 per gallon, and consumers abandoned hulking SUVs and pickups in droves. Automakers scrambled to retool factories to produce smaller, fuel-efficient sedans.

Today — even with the national average recently topping \$5 for the first time — there's been no such panic.

Aside from a proliferation of electrified options, experts point to a significant improvement in the fuel economy of most internal-combustion vehicles, including large pickups and utilities. A 2022 four-wheel-drive Ford F-150, for example, is rated at 21 mpg combined, 50 percent better than a comparable 2008 model.

Although recession fears are mounting, the economy is in a much stronger position than it was in 2008. Unlike that time, top executives from Ford Motor Co. and General Motors say there's robust demand for new vehicles, at a time when the global semiconductor shortage has kept inventories low.

"We're in a very different situation now," Ed Kim, vice president of industry



Merkle: "So much pent-up demand"

see **GAS**, Page 43

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AROUND THE AUTO WORLD

Here are edited highlights from the latest episodes of “Daily Drive,” *Automotive News’* weekday podcast, hosted by Jamie Butters and Kellen Walker.



“I say that there are three buckets that we need for EVs to be successful. And the first is vehicles need to be affordable. And they’re not affordable for too many Americans right now. The tax incentive helps make those vehicles affordable as we scale up.”

U.S. Rep. Debbie Dingell, D-Mich., above, on whether Congress will revisit federal tax incentives for electric vehicle buyers. The current \$7,500 tax credit phases out after an automaker sells 200,000 EVs — a threshold both General Motors and Tesla have met.

“If things get bouncy, the reason I’m not so worried is we’ve been dealing with nothing but bouncy for the last two and a half years.”

Scott Keogh, CEO of Volkswagen Group of America, on rising interest rates and the threat of a possible recession

“Building a national network — like building the interstate highway back in the ‘50s and beyond in the ‘60s — you’re building it everywhere. There are some parts of the interstate that don’t see a lot of traffic, but if you don’t have it, you don’t have an interstate



system. And same thing here with charging. Some of these will not be as utilized. But it’s important. It’s an essential service to be able to fuel your vehicle as you’re going across the country.”

Michael Berube, senior official with the U.S. Department of Energy, on efforts to build a nationwide EV charging network

“We have to do what the government tells us to do in terms of how we make these vehicles. Consumers don’t have to buy them. And that’s the thing that they have to make sure that the administration recognizes and that Congress recognizes. So we’re all-in on those goals, but we’re going to have to have those policies in order to be able to match up and make these things happen.”

David Strickland, GM vice president of global regulatory affairs, on automakers’ push for federal help to encourage mass adoption of EVs

■ Listen to these and other shows at autonews.com/dailydrive.

BOSHOKU

continued from previous page
more space, more privacy, more well-being and a better user experience.”

By Chung’s estimates, today’s human taxi driver averages 35,000 miles a year, on eight-hour shifts. Level 4 autonomous robotaxis, however, could operate 20 hours a day, racking up as many as 87,000 miles a year — or about 522,000 miles over the robotaxi’s anticipated six-year life span.

That equates to a lot of wear and tear. Says Chung: “They will probably need to change the interiors often because they will be used and abused.”

Toyota Boshoku plans to drive volume by selling different sets of interiors for each vehicle, such as economy, economy plus, premium and bespoke. This will allow the operator to reconfigure the pod to the customer needs of the day.

That volume would come on top of regular maintenance and replacement of parts.

Simply put, Boshoku sees a brighter future in pod cars, thanks to rapid

turnover.

“Today, over the lifetime of a vehicle, you’re just stuck with one set and just use it until the end of the life cycle. In this case, you can have different retrofits,” Chung said.

“For us, revenue will increase because for every car, we’re going to sell at least four different modules plus the replacements,” Chung said. “We want to create new demand.”

Being tethered to Toyota Motor has its benefits in a guaranteed revenue stream.

But Toyota Boshoku gets a lopsided 90 percent of its revenue from Toyota. It wagers that if it can take the lead in interiors for future mobility, it can expand its customer base beyond Toyota Motor to other automakers and fleet purveyors.

A diversified sales base won’t just benefit Toyota Boshoku; it will help Toyota Motor by giving it a stronger supplier network.

“We want to be a company that grows even further, even with new customers or new segments,” Chung said. “We want to be a company that determines its own destiny.” **AN**

LEGAL NOTICE

IF YOU PURCHASED OXYGEN SENSORS OR SPARK PLUGS IN THE UNITED STATES DIRECTLY FROM DEFENDANTS (OR THEIR PARENTS, SUBSIDIARIES, AFFILIATES OR JOINT VENTURES) FROM JANUARY 1, 2000 THROUGH FEBRUARY 4, 2019, YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROPOSED SETTLEMENTS WITH NGK AND DENSO

Proposed settlements have been reached in *In re Automotive Parts Antitrust Litigation*, Master File No.12-md-02311 (E.D. Mich.) with NGK and DENSO in the following cases: (a) *In Re: Oxygen Sensors* (Case No. 2:15-cv-03101-SFC-RSW) and (b) *In Re: Spark Plugs* (Case No. 2:15-cv-03001-SFC-RSW).

What are these lawsuits about? This litigation and the proposed settlements are part of coordinated legal proceedings involving a number of parts used in motor vehicles. The proposed NGK and DENSO settlements relate solely to Oxygen Sensors and Spark Plugs (“Affected Parts”), respectively, that were purchased in the United States **directly** from a Defendant. These proceedings do not relate to, and have no effect upon, cases involving any other products.

The term “Oxygen Sensors” refers to electronic sensors located before and after the catalytic converter in the exhaust system used to measure the amount of oxygen in the exhaust. Oxygen Sensors provide signals or data to the automobile’s engine management computer, which then adjusts the ratio of air/fuel injected into the engine to compensate for excess air or excess fuel.

The term “Spark Plugs” refers to engine components for delivering high electric voltage from the ignition system to the combustion chamber of an internal combustion engine. They ignite the compressed fuel/air mixture with an electric spark while containing combustion pressure within the engine. Spark Plugs have a basic manufacturing design composed primarily of a shell, an insulator, a center electrode, and an external (ground) electrode.

Direct Purchaser Plaintiffs allege that Defendants, including NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; DENSO Corporation; DENSO International America, Inc.; and DENSO Products & Services Americas, Inc., conspired with other manufacturers of Oxygen Sensors and Spark Plugs to raise, fix, maintain, and stabilize prices, rig bids, and allocate markets and customers for the Affected Parts sold in the United States in violation of federal antitrust laws. Plaintiffs further claim that because of the alleged conspiracies, they and other direct purchasers of the Affected Parts were injured by paying more for the Affected Parts than they would have paid in the absence of the alleged illegal conduct. NGK and DENSO deny these allegations and have asserted defenses to those claims. The NGK and DENSO Defendants have agreed to settle these matters to avoid the expense and burden of further litigation. The Court has not issued any findings or rulings with respect to the merits of Plaintiffs’ claims or NGK’s or DENSO’s defenses. These settlements, if approved by the Court, will fully resolve Plaintiffs’ claims against NGK and DENSO in the *Oxygen Sensors* and *Spark Plugs* cases.

Plaintiffs, on behalf of settlement classes composed of direct purchasers of the Affected Parts, entered into separate settlements with the NGK Defendants in each case on January 21, 2022, that resolved the *Oxygen Sensors* and *Spark Plugs* cases. Under the terms of each settlement, the NGK Defendants agreed to pay \$600,000 in each of the *Oxygen Sensors* and *Spark Plugs* cases.

Plaintiffs, on behalf of settlement classes composed of direct purchasers of the Affected Parts, entered into settlements with the DENSO Defendants on February 4, 2019, that resolved *Oxygen Sensors*, *Spark Plugs* and 15 other DENSO cases involving different automotive parts (“Global Settlement”). Under the terms of the Global Settlement, the DENSO Defendants agreed to pay \$2,100,000. The Global Settlement resolved Plaintiffs’ claims in the *Oxygen Sensors* case for \$100,000 and in the *Spark Plugs* case for \$100,000. The settlements in fifteen other DENSO cases have been finally approved and those cases are no longer at issue. If the DENSO settlements in the *Oxygen Sensors* and *Spark Plugs* cases are given final approval, it will fully resolve Plaintiffs’ claims in all 17 DENSO cases.

Who is included? You may be a member of the **NGK and DENSO Oxygen Sensors Settlement Classes** if, between January 1, 2000 and February 4, 2019, you purchased Oxygen Sensors in the United States directly from one or more of the following Defendants: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; Hitachi Ltd.; or their respective parents, subsidiaries, affiliates, or joint ventures.

You may be a member of the **NGK and DENSO Spark Plugs Settlement Classes** if, between January 1, 2000 and February 4, 2019, you purchased Spark Plugs in the United States directly from one or more of the following Defendants: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; or their respective parents, subsidiaries, affiliates, or joint ventures.

The Court has appointed the law firms of Freed Kanner London & Millen LLC, Kohn, Swift & Graf, P.C., Preti, Flaherty, Beliveau & Pachios LLP, and Spector Roseman & Kodroff, P.C. to serve as “Co-Lead Settlement Class Counsel” for the Oxygen Sensors and Spark Plugs Settlement Classes.

A Notice of Proposed Settlements (the “Notice”) was mailed to potential members of the four Oxygen Sensors and Spark Plugs Settlement Classes on or about June 20, 2022.

The Notice describes in more detail the litigation and options available to members of the Oxygen Sensors and Spark Plugs Settlement Classes with respect to the settlements. If you did not receive the Notice, you may obtain a copy on the internet at www.AutoPartsAntitrustLitigation.com, or by calling or writing to any of 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

Joseph C. Kohn
KOHN, SWIFT & GRAF, P.C.
1600 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 238-1700

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

Eugene A. Spector
SPECTOR ROSEMAN & KODROFF, P.C.
Two Commerce Square
2001 Market Street, Suite 3420
Philadelphia, PA 19103
Telephone: (215) 496-0300

What do the proposed settlements provide? The NGK Settlement resolved Plaintiffs’ claims against NGK in the *Oxygen Sensors* and *Spark Plugs* cases for \$600,000 per case. The Global Settlement with DENSO resolved Plaintiffs’ claims against DENSO in the *Oxygen Sensors* and *Spark Plugs* cases for \$100,000 per case.

Your rights may be affected. If you are a member of any of the four Settlement Classes you will automatically remain in that particular Settlement Class unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time, and your interests will be represented by the Class Representatives and by Settlement Class Counsel.

If you wish to exclude yourself from any of the four Settlement Classes, you must send a request for exclusion specifying which of the four Settlement Classes you wish to exclude yourself from, in writing, by certified mail, return receipt requested, **postmarked no later than August 8, 2022**, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from any of the four Settlement Classes, you will not be bound by any decision concerning that Settlement Class and you can pursue individually at your own expense any claims you may have against NGK and/or DENSO with respect to that Settlement Class, but you will not be eligible to share in the settlement proceeds attributable to that Settlement Class.

If you remain a member of any of the four Settlement Classes, you have the right to object to the proposed settlement or to the proposed plan of distribution of the settlement fund in the *Oxygen Sensors* or *Spark Plugs* cases in which you remain. You may also appear at the hearing where the Court will consider these matters. **Your objection must be filed no later than August 8, 2022.**

Any Settlement Class member who wishes to participate in the distribution of the NGK or DENSO Settlement Funds in the *Oxygen Sensors* or *Spark Plugs* cases must complete and submit a copy of the Claim Form in each of those cases in which it wishes to participate on or before September 30, 2022.

The Court has scheduled a hearing on September 15, 2022, to consider whether to approve: the proposed settlements with NGK and DENSO; the proposed plans of distribution of the NGK and DENSO Settlement Funds; and Settlement Class Counsel’s motions for an award of attorneys’ fees and reimbursement of litigation costs and expenses, and service awards for the Class Representatives in each case. If the Court believes that it is appropriate, the hearing may be conducted remotely by telephone or other electronic means. If the Court determines to hold the hearing remotely, Settlement Class Counsel will post that information on the website devoted to the direct purchaser litigation (www.AutoPartsAntitrustLitigation.com) and provide it to any Settlement Class member that has informed the Court that it intends to participate at the hearing, along with the information required to do so remotely. The hearing may be continued without further notice to you.

If you believe you are a member of any of the four Settlement Classes, you are urged to obtain a copy of the Notice, which explains your rights regarding the settlements and related matters.

If you have questions concerning this litigation, you may contact any of the Co-Lead Settlement Class Counsel identified above. **Do not contact the Clerk of the Court or the Judge.**

Dated: June 27, 2022

BY ORDER OF:

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

\$1,400,000 in Settlements Reached with Oxygen Sensors and Spark Plugs Manufacturers in Price Fixing Class Action Lawsuits

NEWS PROVIDED BY

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

Jun 27, 2022, 08:00 ET

DETROIT, June 27, 2022 /PRNewswire/ -- Spector Roseman & Kodroff, P.C.; Freed Kanner London & Millen LLC; Kohn, Swift & Graf, P.C.; and Preti, Flaherty, Beliveau & Pachios, LLP ("Settlement Class Counsel") announce that the United States District Court for the Eastern District of Michigan Southern Division ("Court") has approved the following announcement of proposed class action settlements with the NGK and DENSO Defendants. The lawsuits claimed that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Oxygen Sensors and Spark Plugs sold in the United States, in violation of federal antitrust laws.

The settlements affect those who purchased Oxygen Sensors and Spark Plugs in the United States between January 1, 2000 and February 4, 2019. Those who purchased Oxygen Sensors directly from any of the following entities (or depending on the specific settlement agreement, their parents, subsidiaries, affiliates and joint ventures) are eligible to participate in the **Oxygen Sensors Settlement**: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc.; Hitachi Ltd; or their respective parents, subsidiaries, affiliates, or joint ventures. Those who purchased Spark Plugs directly from any of the following entities (or depending on the specific settlement agreement, their parents, subsidiaries, affiliates and joint ventures) are eligible to participate in the **Spark Plugs Settlement**: Robert Bosch GmbH; Robert Bosch LLC; DENSO Corporation; DENSO International America, Inc.; DENSO Products & Services Americas, Inc.; NGK Spark Plug Co., Ltd.; NGK Spark Plugs (U.S.A.) Holding, Inc.; NGK Spark Plugs (U.S.A.), Inc.; NTK Technologies, Inc; or their respective parents, subsidiaries, affiliates, or joint ventures.

A hearing will be held on September 15, at 2:00 p.m., before the Honorable Sean F. Cox, United States District Judge, at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 817 (or such other courtroom as may be assigned for the hearing), to consider whether to approve: (1) the proposed settlements in Oxygen Sensors and Spark Plugs; (2) the proposed plans of distribution of the Oxygen Sensors and Spark Plugs Settlement Funds; and (3) and Settlement Class Counsel's motions for an award of attorneys' fees and reimbursement of litigation costs and expenses, and service awards for the Class Representatives in each case.

A Notice of Proposed Settlements (the "Notice") was mailed to potential Settlement Class members on or about June 20, 2022. The Notice describes in more detail the litigation and options available to members of the Settlement Classes with respect to the NGK and DENSO settlements. The Notice also explains what steps a Class Member must take to: (1) remain in the settlement classes and file a Claim Form to share in the settlement proceeds; (2) object to the settlements; or (3) request exclusion from the settlement classes. The Notice and other important documents related to the settlements can be accessed at www.AutoPartsAntitrustLitigation.com, or by calling 877-890-8128 or writing to Oxygen Sensors and Spark Plugs Direct Purchaser Antitrust Litigation, P.O. Box 4234, Portland, OR 97208-4234. Those who believe they may be a member of any of the NGK or DENSO Oxygen Sensors or Spark Plugs settlement classes, are urged to obtain a copy of the Notice.

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

URL: www.AutoPartsAntitrustLitigation.com

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

EXHIBIT 2

EXHIBIT 2

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 2:12-MD-02311, OXYGEN SENSORS, 2:15-cv-03101-SFC-RSW; 2:15-cv-12918-SFC-RSW

REQUESTS FOR EXCLUSION FROM THE DIRECT PURCHASER SETTLEMENT CLASSES

<p>BMW BMW Manufacturing Co., LLC, along with its parent company (Bayerische Motoren Werke Aktiengesellschaft) and affiliated entities (including BMW of North America, LLC and BMW Consolidation Services Co., LLC)</p> <p>HONDA American Honda Motor Co., Inc., Honda of America Manufacturing, Inc., Honda Manufacturing of Indiana, LLC, Honda Manufacturing of Alabama, LLC, Honda Trading Corp., and related entities</p> <p>TOYOTA Toyota Motor Corporation; Toyota Motor Engineering & Manufacturing North America, Inc. and its subsidiaries; Toyota Motor Sales U.S.A., Inc.; TABC, Inc.; Toyota Motor Manufacturing, Kentucky, Inc.; Toyota Motor Manufacturing, Northern Kentucky, Inc.; Toyota Motor Manufacturing, Indiana, Inc.; Toyota Motor Manufacturing, Mississippi, Inc.; Toyota Motor Manufacturing, Texas, Inc.; Toyota Motor Manufacturing, West Virginia, Inc.; Toyota Motor Manufacturing, Alabama, Inc.; Toyota Motor Manufacturing California, Inc.; Toyota Motor Canada, Inc.; Toyota Motor Manufacturing Canada, Inc.; Canadian Autoparts Toyota Inc.; Toyota Motor Manufacturing de Baja California, S. de R.L. de C.V.; Toyota Motor Manufacturing de Guanajuato, S.A de C.V.; New United Motor Manufacturing, Inc.; Toyota Motor Engineering; Toyota Motors of America; Toyota Motor North America, Inc.; Toyota</p>	<p>North America, Inc.; Toyota Motor Manufacturing; Toyota Motor Corporate Service; Bodine Aluminum, Inc.; Toyota Motor Asia Pacific Engineering & Manufacturing Co., Ltd. and its subsidiaries; Toyota Motor Thailand Co., Ltd. and its subsidiaries; PT, Toyota Motor Manufacturing Indonesia and its subsidiaries; Assembly Services Sdn. Bhd and its subsidiaries; Toyota Motor Vietnam Co., Ltd. and its subsidiaries; Toyota Motor Philippines Corp. and its subsidiaries; and Toyota Kirloskar Motor Private Ltd. and its subsidiaries</p> <p>SUBARU CORPORATION Subaru Corporation, f/k/a Fuji Heavy Industries Ltd. and its subsidiaries with the exception of Subaru of Indiana Automotive, Inc.</p> <p>SUBARU OF INDIANA Subaru of Indiana Automotive, Inc.</p> <p>NISSAN Nissan Motor Co., Ltd. and Nissan North America, Inc., along with their subsidiaries and majority-owned affiliates</p> <p>SUZUKI Suzuki Motor Corporation and Suzuki Motor USA, LLC, along with companies in which Suzuki Motor Corporation directly or indirectly owns the majority of voting rights, excluding Maruti Suzuki India Limited</p>
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GENERAL MOTORS

General Motors LLC (“GM”), General Motors Company, and General Motors Holdings LLC, along with all their subsidiaries (in which GM directly or indirectly owns 50% or more of the voting rights) and majority-owned affiliates

FORD

Ford Motor Company on behalf of itself and all of its wholly owned divisions, subsidiaries, and affiliates

EXHIBIT 3

EXHIBIT 3

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 2:12-MD-02311

OXYGEN SENSORS, 2:15-cv-03101-SFC-RSW; 2:15-cv-12918-SFC-RSW

Requests for Exclusion

Class Member	NGK	DENSO
Toyota Motor Corporation		X
BMW Manufacturing Co., LLC		X
Subaru of Indiana		X
American Honda Motor Co., Inc.	X	X
Subaru Corporation		X
Nissan Motor Corporation	X	X
Suzuki Motor Corporation		X
General Motors LLC	X	X
Ford Motor Company	X	X

X = Requested Exclusion from Settlement