

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

**In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION**

**Master File No. 12-md-02311
Honorable Marianne O. Battani**

In Re: WIRE HARNESS CASES

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

2:12-cv-00101-MOB-MKM

**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION
OF NOTICE OF PROPOSED SETTLEMENTS WITH G.S. ELECTECH
AND TOKAI RIKA DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court's Orders of October 21, 2016 (2:12-cv-00101, Doc. Nos. 319, 320) (the “Notice Orders”), and Settlement Class members’ response to the notice program. As described more fully below, notice was disseminated in accordance with the Court’s Orders. Not a single objection was filed to either of the proposed settlements or to Settlement Class Counsel’s request to use a portion of the Settlement Funds to pay for litigation expenses, and only one opt-out request was submitted. Settlement Class Counsel respectfully submit that the absence of objections and small number of opt-outs militate strongly in favor of approval of the proposed settlements, and the litigation expense request.

I. DISSEMINATION OF NOTICE TO THE CLASSES

A declaration by Guy J. Thompson, a Project Manager employed by Epiq Class Action & Claims Solutions (“Epiq”), the Notice and Claims Administrator retained by Direct Purchaser

Plaintiffs, describing the dissemination of notice to potential Settlement Class members is attached hereto as Exhibit 1.

Pursuant to the Court's Notice Orders, on November 10, 2016, Epiq caused 3,874 copies of the Notice of Proposed Settlement of Direct Purchaser Class Action With G.S. Electech and Tokai Rika Defendants and Hearing on Settlement Approval (the "Notice") to be mailed to potential Settlement Class members by first class mail, postage prepaid. 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, a website dedicated to this litigation. *Id.* at ¶ 10.

Also in accordance with the Notice Orders, the Summary Notice of Proposed Settlements of Direct Purchaser Class Action With G.S. Electech and Tokai Rika Defendants and Hearing on Settlement Approval (the "Summary Notice") was published in one edition of *Automotive News*, and in the national edition of *The Wall Street Journal*, on November 21, 2016. *Id.* at ¶ 9.

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

II. OBJECTIONS TO THE PROPOSED SETTLEMENTS AND EXPENSE REQUEST

The Notice advised that any objection to the proposed settlements, or to Settlement Class Counsel's request to use up to 20% of the Settlement Funds to pay for litigation expenses had to be filed with the Clerk by January 4, 2017, with copies mailed to Settlement Class Counsel and to G.S. Electech's and Tokai Rika's counsel.

No objections were filed with the Court or sent to Settlement Class Counsel by the January 4, 2017 deadline, and none have been received by Settlement Class Counsel as of the date of the filing of this Report.

III. REQUESTS FOR EXCLUSION

The Notice further advised that requests for exclusion from the Settlement Classes had to be sent to Settlement Class Counsel and to the Settling Defendants' counsel, postmarked no later than January 4, 2017.

No requests for exclusion from the G.S. Electech Settlement Class were received. A timely request to opt-out of the Tokai Rika Settlement Class was submitted by the one entity, Ford Motor Company.¹ As of this date, no additional request for exclusion from either Settlement Class has been received by Settlement Class Counsel.

Settlement Class Counsel respectfully submit that, for the reasons set forth in the Memorandum in Support, the G.S. Electech and Tokai Rika settlements, which provide for settlement payments totaling \$3.9 million together with substantial cooperation by the Settling Defendants, are fair, reasonable and adequate under the relevant criteria, and warrant final approval.

IV. THE REACTION OF THE SETTLEMENT CLASSES SUPPORTS APPROVAL OF THE SETTLEMENTS AND LITIGATION EXPENSE REQUEST

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. *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); *Hyland v. HomeServices of America*, No. 3:05–CV–612–R., 2012 WL 1575310, at *7 (W.D. Ky. May 3, 2012) (absence of objectors weighs in favor of the settlement). *Accord In re Cendant Corp. Litig.*, 264 F.3d 201, 235 (3d Cir. 2001) (finding that “vast disparity between the number of potential class members who received notice of the Settlement and the number of objectors creates a strong presumption that this factor weighs in favor of the Settlement”); *In re Auto. Refinishing Paint Antitrust Litig.*, 617 F.Supp.2d. 336, 342 (E.D. Pa. 2007) (“The fact that an overwhelming majority of the Class did not file objections is a significant element to consider in determining the overall fairness of the settlements.”); *In re Residential Doors Antitrust Litig.*, No. 94–3744, Civ.A. 96–2125, MDL 1039, 1998 WL 151804, at *7 (E.D. Pa. April 2, 1998) (small number of exclusions and absence of objections “militates strongly in favor of approval” of proposed settlement).

Individual notice of the proposed settlement was mailed to almost 3,900 potential Settlement Class members identified by Defendants, published in *Automotive News* and in *The Wall Street Journal*, and posted online. Not a single objection has been raised to either the terms of the proposed settlements or to Settlement Class Counsel’s request to use up to 20% of the Settlement

¹ The three entities on whose behalf Ford requested exclusion are Ford Motor Company, Ford Motor Company of Canada Limited, and Ford Motor Company S.A. de D.F.

Funds to pay for litigation expenses, and only one opt-out request (to the Tokai Rika settlement only) was submitted. Such an overwhelmingly favorable response by members of the Settlement Classes, which include many sophisticated entities with the resources to litigate their claims independently, militates strongly in favor of approval of the proposed settlements and the litigation expense request.

V. CONCLUSION

Based upon the foregoing, and for the reasons set forth in Direct Purchaser Plaintiffs' Motion For Final Approval of Proposed Settlements With G.S. Electech and Tokai Rika Defendants and Request to Utilize Part of the Settlement Funds to Pay for Litigation Expenses, and the Brief in support thereof, it is respectfully requested that the Court grant final approval of the proposed settlements and the litigation expense request.

DATED: January 13, 2017

Respectfully submitted,

/s/ David H. Fink

David H. Fink (P28235)

Darryl Bressack (P67820)

Nathan J. Fink (P75185)

FINK + ASSOCIATES LAW

38500 Woodward Ave; Suite 350

Bloomfield Hills, MI 48304

(248) 971-2500

*Interim Liaison Counsel for the Direct
Purchaser Plaintiffs*

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

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

Joseph C. Kohn
William E. Hoese
Douglas A. Abrahams
KOHN, SWIFT & GRAF, P.C.
One South Broad Street, Suite 2100
Philadelphia, PA 19107
Telephone: (215) 238-1700

Eugene A. Spector
William G. Caldes
Jonathan M. Jagher
Jeffrey L. Spector
SPECTOR ROSEMAN KODROFF
& WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300

Interim Co-Lead Counsel for the Direct Purchaser Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on January 13, 2017, 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

By: /s/Nathan J. Fink
David H. Fink (P28235)
Darryl Bressack (P67820)
Nathan J. Fink (P75185)
38500 Woodward Ave; Suite 350
Bloomfield Hills, MI 48304
(248) 971-2500
nfink@finkandassociateslaw.com

EXHIBIT 1

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

_____	:	
In Re: AUTOMOTIVE PARTS	:	Master File No. 12-md-02311
ANTITRUST LITIGATION	:	Honorable Marianne O. Battani
_____	:	
	:	
In Re: WIRE HARNESS CASES	:	
_____	:	
	:	
THIS RELATES TO:	:	2:12-cv-00101-MOB-MKM
ALL DIRECT PURCHASER CASES	:	
_____	:	

DECLARATION OF GUY J. THOMPSON

I, Guy Thompson, hereby declare as follows:

1. I am a Project Manager employed by Epiq Class Action & Claims Solutions (“Epiq”) in Beaverton, Oregon. I am familiar with the actions taken by Epiq with respect to the proposed settlements reached in this case between the Direct Purchaser Plaintiffs and Defendants G.S. Electech, Inc. and Tokai Rika Co., Ltd and the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided to me by Defendants, Plaintiffs’ counsel, and associates and staff under my supervision, and is accurate and truthful to the best of my knowledge.

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

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

OVERVIEW OF EPIQ'S RESPONSIBILITIES AS TO THE SETTLEMENTS

4. Epiq's responsibilities in connection with the Settlements included:
- (a) Printing the Court-approved G.S. Electech and Tokai Rika Direct Purchaser Class Notice ("Detailed Notice") to be sent to potential Class Members;
 - (b) Searching the National Change of Address ("NCOA") database for updated addresses, if any, for Class Members;
 - (c) Mailing the Detailed Notice by first class mail to Class Members;
 - (d) Causing the Summary Publication Notice to be placed in one edition of *Automotive News*, and in the national edition of *The Wall Street Journal*;
 - (e) Maintaining a toll-free number with live Customer Representative support and an option to request a call back if called during non-business hours; and
 - (f) Maintaining an informational website that provides Class Members access to the Settlement information.

CLASS NOTICE

5. Epiq received the Settlement Class Lists in June and July 2014 in preparation for mailing notices regarding the Lear Corporation Settlement (“Initial Class List”). In September 2016, Epiq received an updated Class List (“Updated Class List”). After comparing the Initial and Updated Class Lists to remove duplicate entries and update addresses, Epiq established a Class List for mailing the Detailed Notice that contained 4,525 potential Direct Purchaser Class Members. Epiq submitted the names and addresses of those potential Class Members to cross-reference with the NCOA database for updated address information. By eliminating duplicate records and invalid mailing addresses, Epiq refined the database to include 3,874 names and addresses of potential Class Members.

6. On November 10, 2016, Epiq mailed the Detailed Notice, by first class mail, postage prepaid, to the 3,874 potential Class Members. A copy of the Detailed Notice is attached herein as Exhibit A.

7. As of January 10, 2017, **236** of the Detailed Notices mailed to potential Class Members were returned to Epiq as undeliverable.

8. As of January 10, 2017, Epiq has received one Request for Exclusion, which was submitted by Ford Motor Company.

PUBLICATION NOTICE

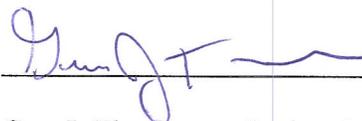
9. A Summary Publication Notice was published in one edition of *Automotive News*, and in the national edition of *The Wall Street Journal*, on November 21, 2016. Copies of the Summary Publication Notice as it appeared in *Automotive News* and *The Wall Street Journal* are attached herein as Exhibit B.

SETTLEMENT WEBSITE

10. On November 11, 2016, Epiq activated changes to the settlement website that provided Direct Purchase Class Members with information related to the G.S. Electech and Tokai Rika proposed Settlements.¹ The website provides general case information; frequently asked question and answers; links to the Preliminary Approval Order, the Tokai Rika and G.S. Electech Settlement Agreements; and other settlement documents.

11. As of January 10, 2017, there have been 2,985 page views to the settlement website with 797 unique visitors to the Wire Harness Products section.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this tenth day of January, 2017 in Beaverton, Oregon.



Guy J. Thompson, Project Manager
Epiq Class Action & Claims Solutions

¹ The URL of the website is www.autopartsantitrustlitigation.com. The website initially launched on October 31, 2014 and currently contains information related to Direct Purchaser Plaintiff Auto Parts Antitrust Litigation cases in which a settlement has been reached: Occupant Safety Systems, Instrument Panel Clusters, and Wire Harness Products. There is a page specific to the Wire Harness Antitrust Litigation, which is <http://www.autopartsantitrustlitigation.com/wh>.

EXHIBIT A

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

In Re: AUTOMOTIVE PARTS
ANTITRUST LITIGATION

Master File No. 12-md-02311
Honorable Marianne O. Battani

In Re: WIRE HARNESS CASES

THIS DOCUMENT RELATES TO:
ALL DIRECT PURCHASER ACTIONS

2:12-cv-00101-MOB-MKM

**NOTICE OF PROPOSED SETTLEMENTS OF DIRECT PURCHASER CLASS
ACTION WITH G.S. ELECTECH AND TOKAI RIKA DEFENDANTS AND
HEARING ON SETTLEMENT APPROVAL**

TO: ALL PERSONS AND ENTITIES WHO PURCHASED WIRE HARNESS PRODUCTS IN THE UNITED STATES DIRECTLY FROM A DEFENDANT DURING THE PERIOD FROM JANUARY 1, 2000 THROUGH MAY 5, 2014.

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

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

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and 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 proposed settlements with Defendants G.S. Electech, Inc., G.S. Wiring Systems Inc., and G.S.W. Manufacturing, Inc. (“G.S. Electech”), and Tokai Rika Co., Ltd. and TRAM, Inc. (“Tokai Rika”) (collectively, the “Settling Defendants”). Under the terms of the proposed settlements, the Settling Defendants will pay a total of \$3.9 million and provide cooperation to assist Plaintiffs in the prosecution of the claims against the remaining Defendants.

You were previously notified of the existence of this class action, the nature of the Plaintiffs’ claims, and a settlement with Lear Corporation (“Lear”) in the amount of \$4.75 million. That settlement was approved by the Court in an Order dated January 7, 2015. When added to the Lear settlement, the proposed G.S. Electech and Tokai Rika settlements, in the amounts of \$3.1 million and \$800,000, respectively, bring the total settlements in this case to \$8.65 million, plus accruing interest (the “Wire Harness Settlement Fund”).

This litigation is part of coordinated legal proceedings involving a number of parts used in motor vehicles. The litigation, and the proposed settlements, relate solely to Wire Harness Products purchased directly from a Defendant. These proceedings do not relate to, and have no effect upon, cases involving any other product or purchaser.

Wire harnesses are electrical distribution systems used to direct and control electronic components, wiring, and circuit boards in motor vehicles. “Wire Harness Products,” for purposes of each of the proposed settlements, means wire harnesses and the following related products: automotive electrical wiring, lead wire assemblies, cable bond, automotive wiring connectors, automotive wiring terminals, high voltage wiring, electronic control units, fuse boxes, relay boxes, junction blocks, power distributors, and speed sensor wire assemblies used in motor vehicles.

If you purchased Wire Harness Products in the United States directly from any of the Defendants identified below during the period from January 1, 2000 through May 5, 2014 (the “Class Period”), you are a member of the G.S. Electech Settlement Class and the Tokai Rika Settlement Class and have the rights and options summarized here:

- You may remain in the G.S. Electech Settlement Class and/or the Tokai Rika Settlement Class and be eligible to share in the proceeds of those Settlement Funds under a claims procedure that will be instituted in the future;

- You may exclude yourself from the G.S. Electech Settlement Class and/or the Tokai Rika Settlement Class, 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 Fund;

- If you do not exclude yourself from a Settlement Class, you may object in writing to that proposed settlement or to the request to use a portion of that Settlement Fund to pay litigation expenses, and you may appear at the hearing where the Court will determine whether the proposed settlement should be approved as fair, adequate and reasonable, and whether a portion of the Settlement Fund may be used to pay litigation expenses; and

- You may enter an appearance in the litigation through your own counsel at your own expense.

You do **not** need to take any action at this time if you wish to remain in both of the Settlement Classes. You should retain all of your records of Wire Harness Products purchases for use in the claims procedure that will be instituted at a later date.

WHO IS IN THE SETTLEMENT CLASSES?

On October 21, 2016, the Court certified Direct Purchaser G.S. Electech and Tokai Rika Settlement Classes for purposes of disseminating notice of the proposed settlements.

Both the G.S. Electech Settlement Class and the Tokai Rika Settlement Class are defined as follows:

All individuals and entities that purchased Wire Harness Products in the United States directly from one or more Defendants or their co-conspirators from January 1, 2000 through May 5, 2014.

For purposes of each of the Settlement Class definitions set forth above, the following entities are Defendants:

Chiyoda Manufacturing Corporation;
Denso Corporation;
Denso International America, Inc.;
Fujikura Ltd.;
Fujikura Automotive America LLC;
Furukawa Electric Co., Ltd.;
American Furukawa, Inc.;
Furukawa Wiring Systems America, Inc. f/k/a Furukawa Lear Corporation and Lear Furukawa Corporation;
G.S. Electech, Inc.;
G.S. Wiring Systems Inc.;
G.S.W. Manufacturing, Inc.;
Lear Corporation;
Leoni Wiring Systems, Inc.;
Leonische Holding Inc.;
Mitsubishi Electric Corporation;
Mitsubishi Electric US Holdings, Inc.;
Mitsubishi Electric Automotive America, Inc.;
Sumitomo Electric Industries, Ltd.;
Sumitomo Wiring Systems, Ltd.;
Sumitomo Electric Wiring Systems, Inc.;
K&S Wiring Systems, Inc.;
Sumitomo Wiring Systems (U.S.A.), Inc.;
Tokai Rika Co., Ltd.;
TRAM, Inc.;
Yazaki Corporation; and
Yazaki North America, Inc.

Plaintiffs Paesano Connecting Systems, Inc.; Craft-Co Enterprises, Inc.; Findlay Industries, Inc.; Cesar-Scott, Inc.; Martinez Manufacturing, Inc.; South Star Corporation; and ACAP, L.L.C., f/k/a Aguirre, Collins & Aikman Plastics, LLC have been appointed by the Court to serve as “Class Representatives” for the G.S. Electech and the Tokai Rika 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 & Willis, P.C. to serve as “Settlement Class Counsel” for the G.S. Electech and the Tokai Rika Settlement Classes.

WHAT IS THIS LITIGATION ABOUT?

Beginning in 2011, class action lawsuits were filed against Defendants by Plaintiffs, who are direct purchasers of Wire Harness Products. Plaintiffs allege that Defendants entered into a conspiracy to suppress and eliminate competition for Wire Harness Products by agreeing to rig bids for, and to raise, fix, stabilize, or maintain the prices of, Wire Harness Products, in violation of federal antitrust laws. Plaintiffs further allege that, as a result of the conspiracy, they and other direct purchasers of Wire Harness Products have been injured by paying more for those products than they would have paid in the absence of the alleged illegal conduct, and they seek recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Each of the Settling Defendants denies Plaintiffs' 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 Plaintiffs' claims or Defendants' defenses. This is a settlement with the Settling Defendants only. Plaintiffs are continuing to prosecute the case against the remaining non-settling Defendants.

WHAT RELIEF DO THE PROPOSED SETTLEMENTS PROVIDE?

Plaintiffs, on behalf of the G.S. Electech Settlement Class, have entered into a settlement with G.S. Electech dated April 26, 2016, under which G.S. Electech has paid the amount of \$3.1 million into an escrow account. G.S. Electech has also agreed to cooperate with Plaintiffs in the prosecution of the lawsuit against the remaining Defendants.

Plaintiffs, on behalf of the Tokai Rika Settlement Class, have entered into a settlement with Tokai Rika dated July 5, 2016, under which Tokai Rika has paid the amount of \$800,000 into an escrow account. Tokai Rika has also agreed to cooperate with Plaintiffs in the prosecution of the lawsuit against the remaining Defendants.

The nature and extent of the cooperation agreed to by each of the Settling Defendants is described in detail in their respective Settlement Agreements. Copies of the Settlement Agreements are on file with the Clerk of Court and available online at www.autopartsantitrustlitigation.com.

Settlement Class Counsel agreed to the proposed settlements to ensure a fair and reasonable resolution to this matter and to provide benefits to the members of the Settlement Classes 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 settlements 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 Settlement Classes to enter into the proposed settlements and resolve this litigation as to the Settling Defendants.

This Notice is only a summary of the terms of the proposed settlements. The Settlement Agreements contain other important provisions, including releases of certain claims against the Settling Defendants, and you can refer to the Settlement Agreements, which are on file with the Clerk of Court and available online at www.autopartsantitrustlitigation.com, for the complete terms of the settlements. The proposed settlements must receive Final Approval by the Court in order to become effective.

If you are a member of the G.S. Electech Settlement Class or the Tokai Rika Settlement Class, and the proposed settlement that relates to that Settlement Class is approved and becomes effective, you will be bound by its terms, including the release provisions. If you wish to object to approval of a settlement, 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 A SETTLEMENT CLASS, AND WHAT HAPPENS IF I DO?

If you are a member of either or both of the G.S. Electech or Tokai Rika Settlement Classes as defined above, you will automatically remain in that 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. 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 G.S. Electech Settlement Class or the Tokai Rika Settlement Class, and a final judgment order dismissing that Defendant from the litigation becomes final and unappealable, you will be bound by that judgment.

As a member of the G.S. Electech Settlement Class or the Tokai Rika Settlement Class, you will be eligible to share in the proceeds of the applicable 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 any Wire Harness Settlement Fund proceeds. If you remain a member of either of the Settlement Classes, you will receive additional notice at a later date, and you will have an opportunity to object to and be heard in connection with the proposed plan of distribution at that time.

Do not dispose of any document that reflects your purchases of Wire Harness Products in the United States directly from any Defendant during the period from January 1, 2000 to May 5, 2014. You may need those documents to complete a claim form in the future, which would be subject to inquiry and verification, if the settlements are approved or if damages are otherwise recovered from either of the Settling Defendants or another Defendant.

Settlement Class Counsel also are not seeking payment of attorneys' fees at this time. In connection with seeking final approval of the settlements, Plaintiffs will seek permission from the Court to use up to twenty percent (20%) of each Settlement Amount to pay Plaintiffs' litigation expenses, including, but not limited to, costs for economic experts, depositions, costs related to document reproduction and review, and other costs incurred in prosecuting the case.

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

WHAT IF I DO NOT WANT TO REMAIN IN EITHER OF THE SETTLEMENT CLASSES?

If you wish to exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class, you must send a request for exclusion, in writing, via certified mail, return receipt requested, **postmarked no later than January 4, 2017**, to Settlement Class Counsel, and to counsel for the Settling Defendants, at the addresses set forth below and to the following address:

Wire Harness Products Direct Purchaser Antitrust Litigation
P.O. Box 5110
Portland, OR 97208-5110

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). You are also requested to identify the Defendant(s) from which you purchased Wire Harness Products during the Class Period, the Wire Harness Products purchased, and the dollar amount of those purchases. If you validly exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class, you will not be bound by any decision concerning that Settlement Class, and you may pursue individually any claims you may have against that Defendant, but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

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

The Court will hold a hearing on January 25, 2017, at 2:00 p.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 272, to determine whether the proposed G.S. Electech and Tokai Rika settlements should be approved as fair, reasonable, and adequate. The Court will also consider at the hearing whether to approve Plaintiffs' request to utilize a portion of the settlements to pay Plaintiffs' litigation expenses. The hearing may be continued without further notice.

If you do not exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class, and you wish to object to that settlement or to Plaintiffs' request to utilize a portion of that Settlement Amount to pay Plaintiffs' litigation expenses, you must do so in writing. Your objection must include the caption of this litigation, must be signed, and be **filed no later than January 4, 2017**, 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 January 4, 2017**:

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.
One South Broad Street, Suite 2100
Philadelphia, PA 19107
Telephone: (215) 238-1700

Gregory P. Hansel
PRÉTI, 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
& WILLIS, P.C.
1818 Market Street, Suite 2500
Philadelphia, PA 19103
Telephone: (215) 496-0300

Co-Lead Counsel for the Direct Purchaser Settlement Class

Donald M. Barnes
PORTER WRIGHT MORRIS & ARTHUR LLP
1900 K Street, NW, Suite 1110
Washington, D.C. 20006
Telephone: (202) 778-3000

Counsel for the G.S. Electech Defendants

W. Todd Miller
BAKER & MILLER PLLC
2401 Pennsylvania Ave, NW, Suite 300
Washington, D.C. 20037
Telephone: (202) 663-7820

Counsel for the Tokai Rika Co. Defendants

If you do not object to the proposed settlements or to Plaintiffs' request to utilize a portion of the settlement proceeds to pay Plaintiffs' litigation expenses, you do not need to appear at the hearing or take any other action at this time.

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

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

The Settlement Agreements, Complaint, and other public documents filed in this litigation are available for review during normal business hours at the offices of the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226. Copies of the Settlement Agreements and certain other documents relevant to this litigation are available at www.autopartsantitrustlitigation.com. Questions concerning the proposed 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: October 21, 2016

BY ORDER OF:

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

EXHIBIT B

Versa Note now in sync with Nissan style

Hatch updated with brand's latest design language

Lindsay Chappell
lchappell@crain.com

NASHVILLE — The Versa Note, the hatch version of Nissan's subcompact nameplate, will be freshened for 2017 with a new front end and interior trim changes.

The update brings the hatchback's styling in line with the rest of Nissan's recently freshened car designs, including the Sentra and Maxima.

The '17 Note receives a new front fascia and Nissan's current design signature of a "V-Motion" grille that incorporates swept-back halogen headlights.

"Versa Note is pretty successful for us," said

Ken Kcomt, Nissan's director of product planning for passenger cars and sports cars. "We want to bring consistency across all of our cars and make this model very easily recognizable as a Nissan."

The model's S Plus, SV and SL grades will get the sporty rear fascia that previously was available only on the SR grade. The SL will use a revised 16-inch aluminum-alloy wheel design, while the S Plus and SV trims will carry new wheel covers.

For '17, Nissan will offer the hatchback in the Monarch Orange color that is used with the brand's high-end GT-R supercar.

Inside, the hatchback will have a second 12-

volt outlet and USB port, as well as enlarged cupholders.

In the first 10 months of 2016, 115,366 Versas were sold, a decline of 7 percent. Other than the Kia Soul, the Versa leads the subcompact car segment.

"We're making sure we bring more visual excitement to its look to maintain that position," Kcomt said.

The 2017 model will go on sale Nov. 22.

Nissan increased the differentiation between the Versa's sedan and hatch models starting with the Versa Note's introduction in the 2014 model year. The company focuses the sedan as an affordable entry vehicle, while marketing the Note hatchback as a step up. **AN**



The 2017 Versa Note receives a new front fascia and Nissan's current design signature of a "V-Motion" grille.

LEGAL NOTICE

IF YOU PURCHASED WIRE HARNESS PRODUCTS DIRECTLY FROM CHIYODA, DENSO, FUJIKURA, FURUKAWA, G.S. ELECTECH, LEAR, LEONI, MITSUBISHI, SUMITOMO, TOKAI RIKA OR YAZAKI BETWEEN JANUARY 1, 2000 AND MAY 5, 2014 YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROPOSED SETTLEMENTS WITH THE G.S. ELECTECH AND TOKAI RIKA DEFENDANTS

Proposed settlements, totaling \$3.9 million, have been reached in *In re Automotive Parts Antitrust Litigation*, Master File No. 12-md-02311 (E.D. Mich.), 12-cv-00101, with Defendants G.S. Electech, Inc., G.S. Wiring Systems Inc., and G.S.W. Manufacturing, Inc. ("G.S. Electech"), and Tokai Rika Co., Ltd. and TRAM, Inc. ("Tokai Rika") (collectively, the "Settling Defendants").

What is the lawsuit about? This class action litigation, and the proposed settlements, relate solely to Wire Harness Products purchased directly from a Defendant (as defined below). These proceedings do not relate to, and have no effect upon, cases involving any other product or purchaser.

Wire harnesses are electrical distribution systems used to direct and control electronic components, wiring, and circuit boards in motor vehicles. "Wire Harness Products," for purposes of the settlements, means wire harnesses and the following related products: automotive electrical wiring, lead wire assemblies, cable bond, automotive wiring connectors, automotive wiring terminals, high voltage wiring, electronic control units, fuse boxes, relay boxes, junction blocks, power distributors, and speed sensor wire assemblies used in motor vehicles.

Direct Purchaser Plaintiffs allege that Defendants entered into a conspiracy to suppress and eliminate competition for Wire Harness Products by agreeing to rig bids for, and to raise, fix, stabilize, or maintain the prices of, Wire Harness Products, in violation of federal antitrust laws. Plaintiffs further allege that as a result of the conspiracy, they and other direct purchasers of Wire Harness Products were injured by paying more for those products than they should have paid, and seek recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Each of the Settling Defendants denies the Plaintiffs' 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 Plaintiffs' claims or Defendants' defenses. This is a settlement with the Settling Defendants only. The litigation is continuing against the remaining Defendants.

Who is included? On October 21, 2016, the Court certified two settlement classes, which are comprised of purchasers of Wire Harness Products in the United States directly from one or more defendants or their co-conspirators during the period from January 1, 2000 through May 5, 2014 (the "Settlement Class Period"). For purposes of the proposed settlements, the following entities are defendants: Chiyoda Manufacturing Corporation; Denso Corporation; Denso International America, Inc.; Fujikura Ltd.; Fujikura Automotive America LLC; Furukawa Electric Co., Ltd.; American Furukawa, Inc.; Furukawa Wiring Systems America, Inc. f/k/a Furukawa Lear Corporation and Lear Furukawa Corporation; G.S. Electech, Inc.; G.S. Wiring Systems Inc.; G.S.W. Manufacturing, Inc.; Lear Corporation; Leoni Wiring Systems, Inc.; Leonsiche Holding Inc.; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Sumitomo Electric Industries, Ltd.; Sumitomo Wiring Systems, Ltd.; Sumitomo Electric Wiring Systems, Inc.; K&S Wiring Systems, Inc.; Sumitomo Wiring Systems (U.S.A.), Inc.; Tokai Rika Co., Ltd.; TRAM, Inc.; Yazaki Corporation; and Yazaki North America, Inc.

A Notice of Proposed Settlements ("Notice") was mailed to potential members of the G.S. Electech Settlement Class and the Tokai Rika Settlement Class on or about November 10, 2016. The Notice describes the litigation and options available to Settlement Class members with respect to the G.S. Electech and Tokai Rika settlements in more detail. 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 Settlement Class Counsel:

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

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

Joseph C. Kohn
KOHNS, SWIFT & GRAF, P.C.
One South Broad Street, Suite 2100
Philadelphia, PA 19107
Telephone: (215) 238-1700

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

What do the settlements provide? G.S. Electech and Tokai Rika have agreed to pay \$3.1 million and \$800,000, respectively, to settle the Class Members' claims against them. You were previously notified of a settlement with Lear Corporation ("Lear") in the amount of \$4.75 million. That settlement was approved by the Court in an Order dated January 7, 2015. When added to the Lear settlement, the proposed G.S. Electech and Tokai Rika bring the total settlements in this case to \$8.65 million, plus accruing interest.

Each of the Settling Defendants has also agreed to provide cooperation to assist Plaintiffs in the prosecution of their claims against the remaining Defendants.

Your rights may be affected. If you are a member of the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you will automatically remain a member of that 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 Plaintiffs and by Settlement Class Counsel.

If you wish to exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you must submit a written request for exclusion, **postmarked no later than January 4, 2017**, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you will not be bound by any decision concerning that Settlement Class and you may pursue individually any claims you may have against that Defendant, but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

If you do not exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you have the right to object to that proposed settlement and to Plaintiffs' request to utilize a portion of that settlement amount to pay Plaintiffs' litigation expenses, by following the procedures set forth in the Notice. Your objection must be **filed no later than January 4, 2017**, and mailed to counsel, **postmarked no later than January 4, 2017**.

The Court has scheduled a hearing on January 25, 2017, to consider whether to approve the proposed settlements and Plaintiffs' request to utilize a portion of the settlement proceeds to pay Plaintiffs' litigation expenses. The hearing may be continued without further notice.

If you believe you are a member of either of the Settlement Classes, you are urged to obtain a copy of the detailed Notice, which discusses your rights regarding the settlements.

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

Dated: October 21, 2016

BY ORDER OF:
The United States District Court for the Eastern District of Michigan, Southern Division

Toyota, Daihatsu speed cooperation

Naoto Okamura
nokamura@crain.com

TOKYO — Vehicle-sharing talks between Toyota Motor Corp. and Daihatsu are moving ahead toward compact and subcompact vehicles, Daihatsu President Masanori Mitsui said.

The automakers are discussing joint manufacturing of small vehicles for emerging markets.

"Globally, we expect to see more growth coming in the compact car, or A and B, segments," Mitsui said this month here at an event to launch a Daihatsu-developed compact minivan being sold under the Daihatsu and Toyota brands in Japan.

By strengthening cooperation, both companies hope to grab a bigger slice of the compact and minivan segments in fast-growing developing economies, Mitsui said.

The compact minivan, sold as the Daihatsu Thor, Toyota Tank and Toyota Roomy, is the latest collaboration in a partnership dating to

1967 when Toyota struck a business tie-up with Daihatsu. Toyota made Daihatsu a wholly owned subsidiary in August and established a unit in which both companies will jointly develop small cars for emerging markets.

"We feel that Toyota appreciates us," Mitsui said.

He said deeper ties with Toyota will enable Daihatsu to fully tap its strength in small car development. Both companies aim to accelerate the pace of co-

operation, he added. Daihatsu is developing a global platform dubbed the Daihatsu New Global Architecture, or DNGA. The name is a take on the Toyota New Global Architecture, or TNGA, being rolled out by its giant parent company.

Mitsui said the companies are forming a plan about what models to launch in which regions, as well as timelines for the introductions, "but it will take some more time before we announce such decisions." **AN**



Mitsui: Growth in compacts

2018 Compass will offer top-end Trailhawk trim

DETROIT — The redesigned 2018 Jeep Compass, due in U.S. dealerships next year, will offer a new off-road-ready trim level but largely keep its styling cues cribbed from the larger Jeep Grand Cherokee.

The next-generation Compass — to be built for North America in Mexico instead of its current home in Illinois — replaces both the existing Compass and the Jeep Patriot in the brand's U.S. lineup. Pricing was not announced.

Like the Jeep Renegade, with which it shares a platform, the redesigned Compass will have a new top-end Trailhawk trim level with added capability off-road.

The Compass will be powered by a 2.4-liter I-4 engine mated to either a nine- or six-speed automatic transmission, depending on its configuration. A six-speed manual also will be



The Compass will largely keep its styling cues cribbed from the Grand Cherokee.

available in two-wheel-drive versions. The Compass will be equipped with stop-start technology to improve fuel economy, which is expected to be about 30 mpg highway.

Inside, the Compass will feature one of four optional Uconnect infotainment systems, including the 8.4-inch touch-screen system available elsewhere in Fiat Chrysler's lineup.

The crossover also will, for the first time, have an optional dual-pane sunroof.

—Larry P. Vellequette

Hackers Grab ATM Cash

BY ROBERT MCMILLAN

Cybercriminals who once earned millions by breaking into individual online bank accounts are now targeting the banks' own computers, with often-dramatic results.

In Taiwan and Thailand earlier this year, the criminals programmed bank ATMs to spew cash. Gang members stood in front of the machines at the appointed hour and collected millions of dollars.

Earlier this month, the Federal Bureau of Investigation warned U.S. banks of the potential for similar attacks. The FBI said in a bulletin that it is "monitoring emerging reports indicating that well-resourced and organized malicious cyber actors have intentions to target the U.S. financial sector."

The FBI bulletin cited software used by a Russian gang known as Buhtrap. Computer-security specialists say Buhtrap and other gangs honed their techniques on Russian banks, then expanded to other countries. Sometimes the hackers break into the systems that process transactions on banking payment networks; other times they have hit ATM networks directly.

In Taiwan, Taipei city police on July 10 received a report of currency lying on a First Commercial Bank ATM in the city's Da'an Precinct. Reports of loose cash at other ATMs soon followed.

ATMs were "abnormally spitting out bills," police said in a written statement.

By July 11, criminals had collected more than 83 million New Taiwan dollars (US\$2.6 million) in cash—without using ATM cards. Twenty-two



Part of the money recovered in Taipei in July after criminals programmed ATMs to spew cash.

people, most from Eastern Europe, waited by ATMs to remove the money. Three suspects were later arrested and over NT\$77 million recovered.

A spokeswoman for First Commercial confirmed that the bank's ATM systems were attacked in July. Investigators now believe the criminals broke into computers at First Commercial's London office on May 31. Once inside the network, the criminals sent a malicious software update to the company's 41 PC1500 ATMs, built by Wincor Nixdorf AG of Germany. After testing their system on July 9, they instructed the ATMs to empty their cash-carrying cassettes the next day. Wincor Nixdorf didn't return messages seeking comment.

The next month, the Government Savings Bank in Thai-

land was hit with a similar attack, according to the FBI bulletin. Government Savings Bank couldn't be reached for comment.

The FBI said hackers broke into both the Taiwan and Thailand banks with fraudulent "phishing" emails disguised to look like messages from ATM vendors or other banks. The attacks indicate hackers' "capability of conducting low-risk, high-impact attacks," the FBI said.

The attacks mark a new technique for cybercriminals, who traditionally stole money from consumer banking accounts or hit ATMs with fraudulent cards or other tricks on a single machine. Over the past 18 months, some criminals have turned to bank networks, breaking in and then finding ways to make

dozens of machines unload their cash simultaneously.

"These guys, who could have been in the past just going after consumers...are breaking into financial institutions," said Eric Chien, technical director of Symantec Corp.'s Security Technology and Response division.

Taipei police, who worked with the FBI on the First Commercial Bank investigation, said in July that malicious software used on ATMs had led to more than \$300 million in losses.

In a written statement, the FBI said it "routinely advises private industry of various cyber threat indicators observed during the course of our investigations."

—Kersten Zhang and Eva Dou contributed to this article.

Zuckerberg Shares Facebook's Plans To Fight Fake News

BY DEEPA SEETHARAMAN

Mark Zuckerberg late Friday outlined several steps Facebook Inc. is testing to fight misinformation, an acknowledgment that the social network could be doing more to avoid its proliferation.

Facebook is looking to build certain stories as false, label tools to classify misinformation and work with fact-checking groups, Mr. Zuckerberg, chief executive and co-founder, said in a post.

"We take misinformation seriously," he wrote. "We know people want accurate information."

Mr. Zuckerberg's comments Friday go significantly beyond his previous statements in recognizing the seriousness of the issue, and seek to quell steady criticism.

Recently, Mr. Zuckerberg has defended Facebook against claims that fake news on the site distorted public discourse about the U.S. presidential election. Two days after the election, Mr. Zuckerberg said that the notion that Facebook helped tip the election in favor of Donald Trump was "a pretty crazy idea."

In a lengthy Nov. 12 post, Mr. Zuckerberg played down the prevalence of fake news on the site—accounting for less than 1% of global content—and said that Facebook's role isn't to be "arbiters of truth."

More recently, Mr. Zuckerberg said the disclosure about the steps was unusual for

Facebook because it doesn't share specifics about works in progress.

The first and most important step is to rely on technology to better classify misinformation and "detect what people will flag as false before they do it themselves," Mr. Zuckerberg said.

Another step is to make it easier for users to report fake stories, he said. Facebook has long relied on users to flag objectionable content, including fake news.

Facebook is turning to outside groups for help in fact-checking, Mr. Zuckerberg wrote. It is also exploring a product that would label stories as false if they have been flagged as such by third-parties or users, and then show warnings to users who read or share the articles.

Facebook earlier this week announced it would bar fake-news sites from using the company's ad-selling tools.

Mr. Zuckerberg said he is looking into "disrupting the economics" of sites that traffic in fake information.

Mr. Zuckerberg reiterated that Facebook doesn't want to become an arbiter of truth itself.

"The problems here are complex, both technically and philosophically," he wrote on Friday. "We believe in giving people a voice, which means erring on the side of letting people share what they want whenever possible."

ADVERTISEMENT

Legal Notices

To advertise: 800-366-3975 or WSJ.com/classifieds

CLASS ACTIONS

LEGAL NOTICE

IF YOU PURCHASED WIRE HARNESS PRODUCTS DIRECTLY FROM CHIYODA, DENSO, FUJIKURA, FURUKAWA, G.S. ELECTECH, LEAR, LEONI, MITSUBISHI, SUMITOMO, TOKAI RIKA OR YAZAKI BETWEEN JANUARY 1, 2000 AND MAY 5, 2014 YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROPOSED SETTLEMENTS WITH THE G.S. ELECTECH AND TOKAI RIKA DEFENDANTS

Proposed settlements, totaling \$3.9 million, have been reached in *In re Automotive Parts Antitrust Litigation*, Master File No.12-md-02311 (E.D. Mich.), 12-cv-00101, with Defendants G.S. Electech, Inc., G.S. Wiring Systems Inc., and G.S.W. Manufacturing, Inc. ("G.S. Electech"), and Tokai Rika Co., Ltd. and TRAM, Inc. ("Tokai Rika") (collectively, the "Settling Defendants").

What is the lawsuit about? This class action litigation, and the proposed settlements, relate solely to Wire Harness Products purchased directly from a Defendant (as defined below). These proceedings do not relate to, and have no effect upon, cases involving any other product or purchase.

Wire harnesses are electrical distribution systems used to direct and control electronic components, wiring, and circuit boards in motor vehicles. "Wire Harness Products," for purposes of the settlements, means wire harnesses and the following related products: automotive electrical wiring, lead wire assemblies, cable bond, automotive wiring connectors, automotive wiring terminals, high voltage wiring, electronic control units, fuse boxes, relay boxes, junction blocks, power distributors, and speed sensor wire assemblies used in motor vehicles.

Direct Purchaser Plaintiffs allege that Defendants entered into a conspiracy to suppress and eliminate competition for Wire Harness Products by agreeing to rig bids for, and to raise, fix, stabilize, or maintain the prices of, Wire Harness Products, in violation of federal antitrust laws. Plaintiffs further allege that as a result of the conspiracy, they and other direct purchasers of Wire Harness Products were injured by paying more for those products than they should have paid, and seek recovery of treble damages, together with reimbursement of costs and an award of attorneys' fees.

Each of the Settling Defendants denies the Plaintiffs' 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 Plaintiffs' claims or Defendants' defenses. This is a settlement with the Settling Defendants only. The litigation is continuing against the remaining Defendants.

Who is included? On October 21, 2016, the Court certified two settlement classes, which are comprised of purchasers of Wire Harness Products in the United States directly from one or more defendants or their co-conspirators during the period from January 1, 2000 through May 5, 2014 (the "Settlement Class Period"). For purposes of the proposed settlements, the following entities are defendants: Chiyoda Manufacturing Corporation; Denso Corporation; Denso International America, Inc.; Fujikura Ltd.; Fujikura Automotive America LLC; Furukawa Electric Co., Ltd.; American Furukawa, Inc.; Furukawa Wiring Systems America, Inc. /k/a Furukawa Lear Corporation and Lear Furukawa Corporation; G.S. Electech, Inc.; G.S. Wiring Systems Inc.; G.S.W. Manufacturing, Inc.; Lear Corporation; Leoni Wiring Systems, Inc.; Leonische Holding Inc.; Mitsubishi Electric Corporation; Mitsubishi Electric US Holdings, Inc.; Mitsubishi Electric Automotive America, Inc.; Sumitomo Electric Industries, Ltd.; Sumitomo Wiring Systems, Ltd.; Sumitomo Electric Wiring Systems, Inc.; K&S Wiring Systems, Inc.; Sumitomo Wiring Systems (U.S.A.), Inc.; Tokai Rika Co., Ltd.; TRAM, Inc.; Yazaki Corporation; and Yazaki North America, Inc.

A Notice of Proposed Settlements ("Notice") was mailed to potential members of the G.S. Electech Settlement Class and the Tokai Rika Settlement Class on or about November 10, 2016. The Notice describes the litigation and options available to Settlement Class members with respect to the G.S. Electech and Tokai Rika settlements in more detail. 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 Settlement Class Counsel:

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

Steven A. Kanner
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.
One South Broad Street, Suite 2100
Philadelphia, PA 19107
Telephone: (215) 238-1700

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

What do the settlements provide? G.S. Electech and Tokai Rika have agreed to pay \$3.1 million and \$800,000, respectively, to settle the Class Members' claims against them. You were previously notified of a settlement with Lear Corporation ("Lear") in the amount of \$4.75 million. That settlement was approved by the Court in an Order dated January 7, 2015. When added to the Lear settlement, the proposed G.S. Electech and Tokai Rika bring the total settlements in this case to \$8.65 million, plus accruing interest.

Each of the Settling Defendants has also agreed to provide cooperation to assist Plaintiffs in the prosecution of their claims against the remaining Defendants.

Your rights may be affected. If you are a member of the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you will automatically remain a member of that 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 Plaintiffs and by Settlement Class Counsel.

If you wish to exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you must submit a written request for exclusion, **postmarked no later than January 4, 2017**, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you will not be bound by any decision concerning that Settlement Class and you may pursue individually any claims you may have against that Defendant, but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

If you do not exclude yourself from the G.S. Electech Settlement Class or the Tokai Rika Settlement Class you have the right to object to that proposed settlement and to Plaintiffs' request to utilize a portion of that settlement amount to pay Plaintiffs' litigation expenses, by following the procedures set forth in the Notice. Your objection must be **filed no later than January 4, 2017**, and mailed to counsel, **postmarked no later than January 4, 2017**.

The Court has scheduled a hearing on January 25, 2017, to consider whether to approve the proposed settlements and Plaintiffs' request to utilize a portion of the settlement proceeds to pay Plaintiffs' litigation expenses. The hearing may be continued without further notice.

If you believe you are a member of either of the Settlement Classes, you are urged to obtain a copy of the detailed Notice, which discusses your rights regarding the settlements.

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

Dated: October 21, 2016
BY ORDER OF:
The United States District Court for the Eastern District of Michigan, Southern Division

MIMS

Continued from page B1 on the next quarter because we were actually focused only on meeting numbers for this quarter," she says.

For many companies, spending on research is a speculative bet with an uncertain, and far distant, payoff.

"As we became more sophisticated in quantifying things we became less and less willing to take risks," says Horace Dediu, a technology analyst and fellow at the Clayton Christensen Institute for Disruptive Innovation, a think tank. "The spreadsheet is the weapon of mass destruction against creative power," he adds.

The same could be said of university research, says Dr. Prabhakar. Research priorities are often decided by peer review, that is, a committee.

"It drives research to more incrementalism," she says. "Committees are a great way to reduce risk, but not to take risk."

So where will fundamental innovation come from?

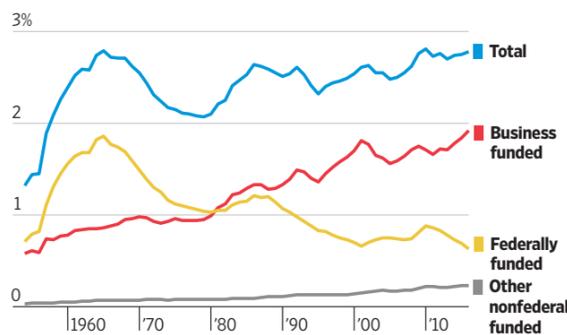
For starters, some companies buck the trend. Google parent Alphabet and Facebook, for example, both are insulated from shareholder pressure by special classes of stock that give their founders near-absolute control.

Microsoft, General Electric Co., Dow Chemical Co., 3M Co., Space Exploration Technologies Corp. and others conduct early-stage research and ac-

Driving Innovation

Corporate-backed research and development has overtaken federally funded investment, climbing to nearly 2% of gross domestic product.

Ratio of R&D to gross domestic product



Source: National Science Foundation THE WALL STREET JOURNAL.

quire research-intensive startups, even when the potential payoff could be decades away.

Indeed, much R&D is now financed by private investors through venture capitalists who back startups that may not generate profit, or even commercialize a product, for years.

Venture funding has been riding high in recent years, and more of these startups are being acquired by more established tech companies.

There are limits to this approach, even at Alphabet. Its X unit aims to incubate "moonshot" businesses—including self-driving cars and life-sciences projects—that could transform the way we work and live. But X differs from Bell Labs, because its projects are intended to become businesses within a decade, says Astro Teller, head of X.

There also are other sources of support. Like everything else in our increasingly multipolar world, fundamental science is no longer primarily a U.S. enterprise. To the extent that discoveries continue to be shared by researchers, they belong to everyone.

The U.S. government sent men to the moon, but it looks increasingly likely that a private company will send humans to Mars.

The internet was invented by the Department of Defense but Google, Facebook and others are working to extend it to the stratosphere and beyond.

The federal government still spends extensively on R&D in the name of defense.

About half of federal R&D spending goes to the Pentagon, says Dr. Prabhakar, though only a fraction of that goes to the far-out projects of Darpa.

BUSINESS WATCH

ABERCROMBIE & FITCH Rebranding Gains Little Ground

Abercrombie & Fitch Co. posted its third straight quarter of declining same-store sales as rebranding efforts showed little sign of winning back shoppers.

The New Albany, Ohio, retailer

on Friday said profit tumbled 81%, as sales at stores open at least a year fell 6% in the third quarter ended Oct. 29. Analysts had expected a 4.4% sales drop.

Total revenue fell 6.5% to \$821.7 million in the quarter. The company posted a profit of \$7.9 million, or 12 cents a share, down from \$41.9 million, or 60 cents, a year ago. Analysts had expected

a profit of 20 cents a share on \$831 million of revenue, according to FactSet.

—Khadeeja Safdar

ALCOHOL Scotch Makers To Appeal Ruling

Scotch whisky makers will appeal a decision by Scotland's highest court that a floor on per-unit alcohol prices is legal, marking the latest salvo in a years-long battle between the alcohol industry and the government.

To combat alcohol abuse, Scotland's Parliament in May 2012 passed a law establishing a 50-pence floor on per-unit alcohol prices, but the measure has since been tied up in court after being attacked by the alcohol industry, which claims it won't stem heavy drinking but instead force responsible drinkers to pay more, and that any such measure is illegal.

—Saabira Chaudhuri



An Abercrombie store in New York. Same-store sales are off by 6%.