

**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**:

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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