

**NOTICE OF HEARING
IN CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS**

**If you bought or leased, directly or indirectly, a new or used Automotive Vehicle or certain automotive parts, since March 1996 you should read this notice carefully.
It may affect your legal rights.**

A. WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people.

B. WHAT ARE THESE CLASS ACTIONS ABOUT?

Class actions have been started in Canada claiming that many companies participated in conspiracies to fix the prices of automotive parts sold in Canada and/or sold to manufacturers for installation in Automotive Vehicles¹ sold in Canada.

This notice is about proposed settlements relating to 9 automotive parts (see Part D) (the “Relevant Parts”). A description of the Relevant Parts is included in Schedule A hereto.

The class actions were started in British Columbia, Ontario and/or Quebec, but include Canadian residents in all provinces and territories. The class actions claim that the companies that sell the Relevant Parts were involved in conspiracies to illegally increase the prices of these products. These class actions ask the applicable Courts to require these companies to return any extra money they may have received due to the alleged conspiracies.

C. WHO IS AFFECTED BY THE CLASS ACTIONS?

The Ontario and Quebec class actions were certified as class proceedings as against the Settling Defendants for the purposes of implementing the settlement agreements.

You are affected by the class actions mentioned above and/or are a “member” of the settlement class of those actions if you are a person in Canada who, during the relevant class period (see Schedule A):

- purchased or leased, directly or indirectly, a new or used Automotive Vehicle in Canada;
- purchased a new or used Automotive Vehicle for import into Canada; or
- purchased, directly or indirectly, a Relevant Part in Canada.

D. WHAT SETTLEMENTS HAVE BEEN REACHED IN THE CLASS ACTIONS?

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for full release of the claims against them, without admitting liability for any of the claims.

¹ In the Settlement Agreements, Automotive Vehicle is defined as: all passenger cars, sport utility vehicles (SUVs), vans, and light trucks (up to 10,000 lbs).

The defendants listed below (the “Settling Defendants”) have agreed to pay the amounts set out below in exchange for a full release of the claims against them relating to the pricing of the Relevant Parts and for the dismissal of any actions commenced in Canada by settlement class members relating to the pricing of the Relevant Parts.² The Settling Defendants do not admit any liability, wrongdoing or fault.

Bridgestone Corporation, Bridgestone Elastech Co., Ltd., Bridgestone APM Company, Bridgestone Canada Inc., and Bridgestone Americas, Inc.	
Anti-Vibration Rubber Parts	US\$3,500,000
Delphi Technologies PLC, Delphi Powertrain Systems, LLC, Delphi Automotive LLP, Delphi Automotive Systems, LLC, Korea Delphi Automotive Systems Corp., and Delphi Powertrain Systems Korea Ltd.	
Ignition Coils	US\$57,000
Valve Timing Control Devices	US\$3,000
Total	US\$60,000
Hitachi Astemo, Ltd. and Hitachi Astemo Indiana, Inc. ³	
Electronic Throttle Bodies	US\$50,000
MAHLE Behr GmbH & Co. KG and MAHLE Behr USA Inc.	
Air Conditioning Systems	US\$195,000
Nippon Seiki Co., Ltd., N.S. International, Ltd., and New Sabina Industries, Inc.	
Instrument Panel Clusters	\$689,752
Stanley Electric Co., Ltd., Stanley Electric U.S. Co., Inc., and II Stanley Co., Inc.	
Autolights	US\$1,640,000
High Intensity Discharge Ballasts	US\$360,000
Total	US\$2,000,000
ZF Friedrichshafen AG, TRW Automotive GmbH (now known as ZF Automotive Germany GmbH), TRW Vehicle Safety Systems Inc. (now known as ZF Passive Safety Systems US Inc.), Kelsey-Hayes Company (now known as ZF Active Safety US Inc.), TRW Canada Limited (now known as ZF Automotive Canada Limited), and Kelsey-Hayes Canada Limited (now known as Roadster Holdings (Canada) ULC)	
Braking Systems	US\$90,000

² The exact terms of the releases and dismissals vary slightly as between the Settlement Agreements. Please refer to the Settlement Agreements for additional information.

³ The Plaintiffs will be seeking orders dismissing the Fuel Injection Systems action against the defendants, Keihin Corporation (now known as Hitachi Astemo, Ltd.) and Keihin North America, Inc. (now known as Hitachi Astemo Indiana, Inc.).

Where the class actions are continuing, the Settling Defendants have also agreed to provide cooperation to the plaintiffs in pursuing the applicable class actions against the remaining defendants.⁴

E. SETTLEMENT APPROVAL HEARINGS

Depending on where each action was commenced, the settlements are subject to the approval of the Ontario, British Columbia and/or Quebec Courts (see Schedule “B”).⁵ However, in all circumstances, the settlements are national in scope. Even where there is no settlement class specifically for residents of British Columbia or Quebec, residents of those provinces are included in the national classes of the actions commenced in Ontario.

The Ontario Court will hold a hearing by video (which you can attend by contacting Class Counsel) to decide whether to approve these settlements on October 28, 2021 at 10:00 a.m.

The Quebec Court will hold a hearing by video (<https://url.justice.gouv.qc.ca/c73fj>)⁶ to decide whether to approve some of these settlements on November 10, 2021 at 9:00 a.m.

The Courts will decide whether the settlements are fair, reasonable, and in the best interests of settlement class members.

The judge presiding over the BC action is now supernumerary (i.e. partially retired), and so the BC actions will be transferred to another judge for case management. After the assignment of a new judge, there will also be relief sought from the British Columbia Court regarding the Stanley settlement. Any hearing before the BC Court may proceed in writing. Visit www.siskinds.com/autoparts for updates on the BC application and approval process for the Stanley settlement.

F. HOW CAN I PARTICIPATE IN THE SETTLEMENT APPROVAL HEARING?

If you are a member of a settlement class, you can present your submissions on, or objections to, the settlements, the proposed distribution protocol in the Electronic Throttle Bodies action, and/or Class Counsel fees before the Courts, in the manner set out below.

Submissions in writing

If you want to address the Courts in writing, you must send your written submissions to Class Counsel by email to autoparts@sotosllp.com and autopartsclassaction@siskinds.com no later than October 21, 2021.

⁴ The terms of cooperation vary as between the Settlement Agreements. Please refer to the Settlement Agreements for additional information.

⁵ Nippon Seiki and the plaintiffs have agreed to amendments to the settlement agreement that would eliminate the need for a separate settlement approval process in British Columbia. There will be no separate settlement approval process in British Columbia for the Nippon Seiki settlement, the settlement approval process for British Columbian residents will occur as part of the Ontario settlement approval hearing scheduled for October 28, 2021, and any Ontario settlement approval order will bind British Columbian residents.

⁶ The User Guide to join the hearing can be found at the following address:
https://www.justice.gouv.qc.ca/fileadmin/user_upload/contenu/documents/Fr__français_/centredoc/publications/systeme-judiciaire/MJQ_Guide_Audience_Teams-public_VF.pdf

The written submissions must state the nature of any comments or objections, and whether you intend to appear at the settlement approval hearing(s). The written submissions can be provided in English or French (where necessary, an unofficial translation will be provided to the Courts).

Class Counsel will provide a copy of any written submissions to the Courts being asked to approve the settlement agreements.

Attending in person before the Courts

Settlement classes members may (but do not need to) attend the settlement approval hearing(s).

Some of the settlements are only subject to approval by the Ontario Court. You may attend the Ontario hearing virtually on **October 28, 2021 at 10:00 a.m.**, as an observer or to make oral submissions to the Court. If you wish to attend and/or make oral submissions, please contact Class Counsel no later than October 21, 2021. If you are unable to attend, but wish to make oral submissions to the Ontario Court, please contact Class Counsel at autopartsclassaction@siskinds.com and Class Counsel will make the necessary arrangements for you to make submissions to the Ontario Court.

Where the settlement is also subject to the approval of the Quebec Court, you may attend the Quebec hearing virtually on November 10, 2021 at 9:00 am (<https://url.justice.gouv.qc.ca/c73fj>)⁷. You can attend as an observer or to make oral submissions to the Quebec Court. If you are unable to attend, but wish to make oral submissions to the Quebec Court, please contact Class Counsel at recours@siskindsdesmeules.com, to the attention of Karim Diallo, and Class Counsel will make the necessary arrangements for you to make submissions to the Quebec Court.

Visit www.siskinds.com/autoparts for updates on the BC application and approval process for the Stanley settlement.

G. WHAT STEPS SHOULD I TAKE TO PROTECT MY RIGHTS?

If you want to be a member of any of these class actions, you do not need to do anything. However, there are three steps that you should take to protect your legal rights:

1. You should keep records of any purchases or leases of all new Automotive Vehicles, Relevant Parts or other automotive parts in respect of which there is pending litigation (see www.siskinds.com/autoparts for a complete list) from January 1995 onward. Records include invoices, receipts, original purchase or lease records, or historical accounting records.
2. Automotive dealerships should keep records of any sales or leases of new Automotive Vehicles, Relevant Parts or other automotive parts from January 1995 onward.
3. You should register online at www.siskinds.com/autoparts to receive updates about these class actions and the other auto parts price-fixing class actions.

⁷ The User Guide to join the hearing can be found at the following address:
https://www.justice.gouv.qc.ca/fileadmin/user_upload/contenu/documents/Fr__français_/centredoc/publications/systeme-judiciaire/MJQ_Guide_Audience_Teams-public_VF.pdf

H. WHAT IF I DON'T WANT TO BE IN THE CLASS ACTIONS?

Rights to opt-out of the relevant actions were previously provided and have already passed.

In some cases, residents of British Columbia are included in the Ontario Settlement Class. Where an opt-out was provided to a previous British Columbia Settlement Class in a parallel BC case, that previous opt-out applies to BC residents now included in an Ontario Settlement Class.

I. WHAT HAPPENS TO THE MONEY PAID UNDER THE SETTLEMENTS?

At this stage, the settlement funds (less approved fees and expenses) are being held in interest-bearing trust accounts for the benefit of settlement class members.

The plaintiffs are seeking approval of the method for distributing the aggregate settlement funds from the Electronic Throttle Bodies class action (see section J below). At a later date, the courts will decide how the settlement funds for the other Relevant Parts will be distributed and how you can apply to receive money from these settlements. Watch for another notice at a later time explaining how to claim money from the settlements.

J. PROPOSED DISTRIBUTION OF THE ELECTRONIC THROTTLE BODIES SETTLEMENT FUNDS

The Courts have previously approved settlements in the aggregate amount of \$1,896,480. At the settlement approval hearings in Ontario and Quebec, the Courts will be asked to approve a protocol for distributing the aggregate settlement funds, plus accrued interest, less Court-approved legal fees and other expenses. A copy of the proposed distribution protocol is available at www.siskinds.com/autoparts or www.sotosllp.com/class-actions/current-cases/auto-parts/ or from Class Counsel.

The protocol is designed to compensate purchasers of Electronic Throttle Bodies and/or new Automotive Vehicles containing Electronic Throttle Bodies in a manner that generally reflects the anticipated impact of the alleged price-fixing.

The protocol contemplates that the administration will run in tandem with the administration of the Second Omnibus Distribution Protocol and settlement benefits will be calculated in accordance with the Second Omnibus Distribution Protocol. The Second Omnibus Distribution Protocol was approved by the Ontario, British Columbia and Quebec Courts.

Based on information to date – both through publicly available documents and information obtained in the prosecution of the action – the following vehicles are potentially affected by the alleged wrongful conduct (the “Affected Vehicles”):

Brands	Event Period	Post Event Period
General Motors (Buick/Cadillac/ Chevrolet/ Daewoo/GMC/Hummer/Isuzu/Oldsmobile/ Pontiac/ Saab/Saturn) and Nissan/Infiniti	January 1, 2000 to February 28, 2010	March 1, 2010 to February 28, 2014

No wrongdoing is alleged as against General Motors (Buick/Cadillac/Chevrolet/Daewoo/GMC/ Hummer/Isuzu/Oldsmobile/ Pontiac/Saab/Saturn) or Nissan/Infiniti (the “Automakers”). They are not

defendants in the class actions. The Automakers were unaware of any alleged price-fixing in respect of any of the automotive parts that they purchased for their automotive vehicles. No wrongdoing is alleged as against the Automakers.

Subject to further order of the Ontario and Quebec Courts, the settlement funds will be distributed on a *pro rata* (or proportional) basis on the value of your claim relative to the value of all approved claims. The value of your claim will depend on:

- a) The purchase price of the Affected Vehicle: The purchase price will be based on the information provided as part of the claims process or, where permitted pursuant to the distribution protocol, the manufacturer's suggested retail price (or 40% thereof for leased vehicles).
- b) The timing of the Affected Vehicle purchase or lease: Purchases or leases entered into during the Event Period will be valued at 100%. Purchases or leases entered into during the Post Event Period will be discounted by 50% to reflect the additional litigation risks associated with proving damages during this period.
- c) The categorization of the Settlement Class Member: Settlement Class Members will be categorized as follows:
 - i. *Automaker*. Automakers' purchases or leases will be valued at 7.5% of the purchase price.
 - ii. Dealer means a Settlement Class Member who purchased Affected Vehicles from an Automaker or a subsidiary thereof, for resale to End Users. Dealer's purchases or leases will be valued at 25% of the purchase price.
 - iii. End User means a Settlement Class Member who purchased or leased an Affected Vehicle for its own use and not for commercial resale. End Users' purchases or leases will be valued at 67.5% of the purchase price.

Sample Calculation:

If an End User purchased Affected Vehicles with purchase prices totaling \$50,000 during the Event Period and \$150,000 during the Post Event Period, its Affected Vehicle Purchases for the purposes of determining its pro rata share of the Net Settlement Funds would be calculated as follows:

\$50,000 (representing the purchase price) x 1 (representing the timing of the purchase or lease)
x 0.675 (representing the categorization of the Settlement Class Member as an End User) =
\$33,750

Plus

\$150,000 (representing the purchase price) x 0.5 (representing the timing of the purchase or lease)
x 0.675 (representing the categorization of the Settlement Class Member as an End User)
= \$50,625

For a total of \$84,375

Assuming the value of all qualifying Settlement Class Members' Affected Vehicle Purchases totalled \$10 million, this Settlement Class Member would be entitled to 0.84% (\$84,375/\$10 million) of the Net Settlement Funds.

Notwithstanding the foregoing, subject to further order of the Ontario and Quebec Courts following the adjudication of all claims:

- a) claims that are valued at less than \$5 will be held in abeyance pending further distributions in the auto parts class actions. This threshold for payment applies after summing all entitlements pursuant to the Second Omnibus Distribution Protocol and the proposed Distribution Protocol.
- b) all valid Claims that are valued at or above \$5 will be assigned a minimum value of \$25. The \$25 valuation target is not an estimate of any damages suffered. This minimum valuation applies after summing all entitlements pursuant to the Second Omnibus Distribution Protocol and the proposed Distribution Protocol. For example, if a Settlement Class Member is entitled to \$17 pursuant to the Second Omnibus Distribution Protocol and an additional \$6 pursuant to the proposed Distribution Protocol, the Settlement Class Member would receive a \$2 increase, for a total payment of \$25.

K. APPLYING FOR SETTLEMENT FUNDS

Information about how to apply for the settlement funds will be available in a future notice and will be posted online at: www.siskinds.com/autoparts or www.sotosllp.com/class-actions/current-cases/autoparts/. If you did not receive this notice by mail or email, please register online at: www.siskinds.com/autoparts or by telephone at 1-888-977-9806 to ensure that further notices will be sent to you directly, by mail or email.

As additional auto parts cases resolve, it is likely that some of the resolved cases will relate to the same brands and years covered by the Second Omnibus Distribution Protocol. Subject to court approval, your eligibility for settlement benefits in those cases will depend on applying for settlement benefits in accordance with the Second Omnibus Distribution Protocol.

L. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS AND HOW ARE THEY PAID?

The law firms of Siskinds LLP and Sotos LLP represent members of these class actions in Ontario, and in provinces other than British Columbia or Quebec, as well as corporations of more than 50 employees in Quebec.

Siskinds LLP can be reached at:

Telephone (toll free): 1-800-461-6166

Email: autopartsclassaction@siskinds.com

Mail: 680 Waterloo Street, London, ON N6A 3V8 Attention: Linda Visser / Sylvia Flower

Sotos LLP can be reached at:

Telephone (toll free): 1-888-977-9806

Email: autoparts@sotosllp.com

Mail: 180 Dundas Street West, Suite 1200, Toronto, ON M5G 1Z8 Attention: Jean-Marc Leclerc

The law firm of Camp Fiorante Matthews Mogerman LLP represents members of the Air Conditioning Systems, Anti-Vibration Rubber Parts, Autolights, Bearings, Ignition Coils, and Instrument Panel Clusters class actions in British Columbia. They can be reached at:

Telephone: 1-800-689-2322

Email: aslevin@cfmlawyers.ca

Mail: #400 – 856 Homer Street, Vancouver, BC V6B 2W5 Attention: David Jones

The law firm of Siskinds Desmeules s.e.n.c.r.l. represents members of the Anti-Vibration Rubber Parts, Autolights, Bearings, Ignition Coils, Instrument Panel Clusters, and Valve Timing Control Devices actions in Quebec. They can be reached at:

Telephone: 418-694-2009

Email: recours@siskindsdesmeules.com

Mail: Les promenades du Vieux-Quebec, 43 rue De Buade, bureau 320, Quebec City, QC G1R 4A2

Attention: Erika Provencher

As an individual, you do not have to pay the lawyers working on these class actions any money out-of-pocket. The lawyers will be paid from the money collected in these class actions. The Courts will be asked to decide how much the lawyers will be paid. The lawyers will collectively be asking that the Courts approve legal fees of up to 25% of the settlement funds, plus disbursements and applicable taxes. Any approved legal fees will be paid out of the settlement funds. Class Counsel reserve the right to ask the Courts to allow Class Counsel to use the settlement funds to pay for any future adverse cost awards or future disbursements.

M. WHERE CAN I ASK MORE QUESTIONS?

For more information, and relevant documents (including copies of the settlement agreements and distribution protocol), please visit www.siskinds.com/autoparts.

For copies of the Ontario statements of claim, visit the Canadian Class Action Database at: <http://www.cba.org/Publications-Resources/Class-Action-Database>.

For a copy of the Quebec motions for authorization or to receive more information about class actions in Quebec, visit the Quebec Registry of Class Actions at <https://www.registredesactionscollectives.quebec/>.

To receive future notices and updates regarding the auto parts class actions and any future settlements, register online at www.siskinds.com/autoparts.

If you have questions that are not answered online, please contact Class Counsel at the numbers listed above.

N. INTERPRETATION

This notice contains a summary of some of the terms of the settlement agreements listed in part D. If there is a conflict between the provisions of this notice and the settlement agreements, the terms of the settlement agreements shall prevail.

Schedule “A” – Part Descriptions and Settlement Class Period

Part	Description⁸	Settlement Class Period
Air Conditioning Systems	Air Conditioning Systems means systems that cool the interior environment of an Automotive Vehicle and are part of an Automotive Vehicle’s thermal system. An Air Conditioning System may include, to the extent included in the relevant request for quotation, compressors, condensers, HVAC units (blower motors, actuators, flaps, evaporators, heater cores, and filters embedded in a plastic housing), control panels, sensors, and associated hoses and pipes.	January 1, 2001 to December 10, 2019
Anti-Vibration Rubber Parts	Anti-Vibration Rubber Parts means rubber and metal parts that are installed in Automotive Vehicles to reduce the transmission of engine and road vibration. Every Automotive Vehicle contains Anti-Vibration Rubber Parts.	March 1, 1996 to April 2, 2019
Autolights	Autolights means headlights and rear combination lights used in Automotive Vehicles. A headlight is an automotive light installed in the front of an Automotive Vehicle, and may include a headlight, clearance light, and/or turn signal. A rear combination light is an automotive light installed in the rear of an Automotive Vehicle, and may include a back-up light, tail light, stop light, and/or turn signal.	June 1, 1997 to April 2, 2019
Braking Systems	Braking Systems means hydraulic and electronic braking systems. Hydraulic braking systems consist of an actuation system and a foundation system. The actuation system is further made up of a brake booster and main brake cylinder, while the foundation system is further made up of a disc brake with saddle or drum brake and wheel brake cylinder. Electronic braking systems prevent automobiles from skidding by providing electronic stability controls when braking (anti-lock braking system or “ABS”) or under all driving conditions (electronic stability control or “ESC”). Both Hydraulic Braking Systems and Electronic Braking Systems can be contained within the same vehicle.	February 1, 2007 to February 8, 2021
Electronic Throttle Bodies	Electronic Throttle Bodies means a component of an electronic throttle control system in an Automotive Vehicle that controls the volume of air flowing into the engine according to a signal from the engine control unit.	January 1, 2000 to March 20, 2017

⁸ The exact definition of the Relevant Parts vary slightly as between the settlements. For more information, please review the settlement agreements, available online at www.siskinds.com/autoparts or www.sotosllp.com/class-actions/current-cases/auto-parts/.

Part	Description⁸	Settlement Class Period
High Intensity Discharge Ballasts	High Intensity Discharge Ballast means electrical devices that limit the amount of electrical current flowing to a high intensity discharge headlamp installed in an Automotive Vehicle, which would otherwise rise to destructive levels due to the high intensity discharge headlamp's negative resistance.	July 1, 1998 to August 13, 2018
Ignition Coils	Ignition Coils means induction coils that transform the low voltage of an Automotive Vehicle's battery into the necessary voltage required to create an electric spark in the spark plugs to ignite the fuel.	January 1, 2000 to March 20, 2017
Instrument Panel Clusters	Instrument Panel Clusters means the mounted array of instruments and gauges, also known as meters, housed in front of the drive of an Automotive Vehicle.	January 1, 1998 to December 9, 2015
Valve Timing Control Devices	Valve Timing Control Devices means parts within the variable valve timing system in Automotive Vehicles that control the timing of the opening and closing of engine valves.	January 1, 2000 to March 20, 2017

Schedule "B" – Approving Courts

Settling Defendant	Part	Approving Court(s)
Bridgestone	Anti-Vibration Rubber Parts	Ontario and Quebec *
Delphi	Ignition Coils	Ontario
	Valve Timing Control Devices	Ontario
Hitachi Astemo	Electronic Throttle Bodies	Ontario
MAHLE Behr	Air Conditioning Systems	Ontario *
Nippon	Instrument Panel Clusters	Ontario and Quebec*
Stanley	Autolights	Ontario, British Columbia, and Quebec
	High Intensity Discharge Ballasts	Ontario
ZF	Braking Systems	Ontario*

* Following the Ontario Court issuing an approval order, the BC Court will be asked to dismiss or discontinue the applicable action(s) as against the settling defendants.