

**NOTICE OF CERTIFICATION / AUTHORIZATION AND SETTLEMENT APPROVAL  
HEARINGS IN THE MATTER OF THE LINEAR RESISTORS CLASS ACTIONS**

**TO: All persons in Canada who purchased linear resistors or a product containing linear resistors between July 9, 2003 and September 14, 2015 (the “Settlement Class Members”).**

*If you bought an electronic device containing linear resistors between July 9, 2003 and September 14, 2015 (“Class Period”), such as computers, smartphones, gaming consoles, home appliances and televisions, among other products you may be a Settlement Class Member.*

**PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS.**

**I. WHAT IS A CLASS ACTION?**

A class action is a lawsuit filed by one person on behalf of a large group of people that has been “certified” or “authorized” by a Canadian court and determines “common issues” for the group of people, known as the “class”.

**II. WHAT IS A LINEAR RESISTOR AND WHAT ARE THESE CLASS ACTIONS ABOUT?**

A “linear resistor” is an electronic component used to regulate the current in an electrical circuit. Linear Resistors are found in electronics like computers, smartphones, gaming consoles, home appliances and televisions, among other products.

In 2015, class proceedings were initiated in Ontario by Foreman & Company and Siskinds<sup>LLP</sup>, in British Columbia by Camp Fiorante Matthews Mogerman<sup>LLP</sup> and in Québec by Belleau Lapointe, s.e.n.c.r.l. (collectively “Class Counsel”) on behalf of Canadians who purchased a linear resistor or products containing linear resistors during the Class Period (the “Class Actions”). These Class Actions claim that the companies that sell linear resistors were involved in a conspiracy to illegally increase the prices of these products. The Class Actions ask the courts to order the defendants to return any extra money that they have received due to this alleged conspiracy.

While the Class Actions were started in Ontario, British Columbia and Québec, the cases include Canadian residents in all provinces and territories who purchased a linear resistor or a product containing linear resistors during the Class Period.

**III. WHAT IS A SETTLEMENT AND WHAT SETTLEMENTS HAVE BEEN REACHED IN THESE CLASS ACTIONS?**

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for having the case against it dismissed.

In the Class Actions, a settlement has been reached with Panasonic Corporation, Panasonic Corporation of North America and Panasonic Canada Inc. (collectively “Panasonic”).

The Panasonic defendants are the first to enter into a settlement in the Class Actions. The Class Actions will continue against the other named defendants.

Panasonic has agreed to pay CAD \$2,350,000 (the “Settlement Amount”) for the benefit of Settlement Class Members. Panasonic has also agreed to provide meaningful early co-operation to the plaintiffs in pursuing their claims against the other defendants. In exchange, Panasonic will be provided with a full release of the claims against them and the Class Actions against them will be dismissed.

The settlement, which was negotiated over several months, is not an admission by Panasonic of liability, fault, or wrongdoing, but is a compromise of disputed claims. The plaintiffs sought and were granted certification / authorization of the Class Actions in Ontario, British Columbia and Québec for settlement purposes only.

The settlement is subject to court approval. There will be settlement approval hearings in Ontario, British Columbia and Québec. These hearings are to take place at:

- the Ontario Superior Court of Justice on February 2nd, 2021 at 3:00 pm by virtual hearing, at the particulars below,
- the Superior Court of Québec on February 11th at 9:30 am at 1, rue Notre-Dame Est, Montréal, Québec in Room 16.08, and by virtual hearing at the particulars below, and
- the Supreme Court of British Columbia, in writing, following the Ontario hearing.

The courts will decide whether the settlement is fair, reasonable, and in the best interest of Settlement Class Members.

Depending on the status of the Covid-19 situation, it is possible that some or all of the settlement hearings will proceed by videoconference, teleconference or in writing. The Ontario settlement approval hearing will be conducted virtually via Zoom. You can participate in the hearing by using the following information: <https://zoom.us/j/92368045971> or (tel): 647.374.4685; Meeting ID: 923 6804 5971. Alternative local phone numbers can be found at <https://zoom.us/u/acWZPmWJBS>. Any updates with respect to the hearings will be posted on [www.foremancompany.com/linear-resistors](http://www.foremancompany.com/linear-resistors). The Québec settlement approval hearing can be accessed virtually through Microsoft TEAMS at conference ID : 888 751 938#. Please check the website or contact Class Counsel for further information in advance of the settlement approval hearings.

#### **IV. WHEN WILL THE SETTLEMENT AMOUNT BE DISTRIBUTED?**

The Settlement Amount, minus approved Class Counsel fees, disbursements and applicable taxes, will be held in an interest-bearing trust account for the benefit of Settlement Class Members (the “Settlement Funds”).

The Settlement Funds will not be distributed to Settlement Class Members at this time. The Class Actions may or may not result in further settlements or judgments. If there are further recoveries, they will be added to the Settlement Funds.

At a later date yet to be determined, the courts will decide how the Settlement Funds will be distributed and how you can apply to receive a share of the Settlement Funds. Watch for another notice explaining how to claim money from the settlement.

## V. WHAT DO I NEED TO DO AT THIS TIME?

If you do not oppose the proposed settlement and you wish to continue to be included in the Class Actions, you do not need to appear at the hearings or take any other action at this time to indicate your desire to participate in the settlement and the Class Actions.

If you want to tell the courts what you think about the proposed settlement or speak to the courts at the hearings mentioned above, you must send your written submissions to Foreman & Company, 4 Covent Market Place, London ON N6A 1E2 which must be received by **January 29, 2021 at the latest**. Contact information for Class Counsel can be found below. Class Counsel will file all such submissions with the appropriate Court.

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

If you do not want to be a member of these Class Actions, you must opt out by **January 29, 2021** at the latest.

You can opt-out by sending a signed letter to Class Counsel, by pre-paid mail, courier, fax or e-mail at the following address:

Foreman & Company, Attention: Jonathan Foreman.

- Facsimile: 1-226-884-5340
- E-mail: [classactions@foremancompany.com](mailto:classactions@foremancompany.com)
- Mail: 4 Covent Market Place, London, Ontario N6A 1E2.

All opt-outs must contain the following information:

- your full name, current address and telephone number;
- if you are writing on behalf of a company, the name of the company and your position at the company;
- a statement saying that you (or the company) want to opt-out of the linear resistors Class Actions; and
- your signature.

Your opt-out request must be received **no later than January 29, 2021**.

If you exclude yourself or opt-out:

- you will not be eligible to participate in the Class Actions;
- you will not receive any money from the Class Actions; but
- you will be able to start or continue your own case against the defendants regarding the claims at issue in the Class Actions.

If you do nothing, and so do not exclude yourself or opt-out:

- you will be eligible to participate in the Class Actions; and
- you may receive money from the Class Actions; but
- you will not be able to start or continue your own case against the defendants regarding the claims at issue in the Class Actions; and

- you will be bound by the courts' decision on this settlement and by all future court decisions in the Class Actions.

**This is your only chance to exclude yourself or opt-out of the Class Actions. If the settlement is approved, you will not have another opportunity to opt-out of the Class Actions in the future. If you have any questions about the settlement agreement or the opt-out process, you are encouraged to contact Class Counsel using the information described above. More information concerning opt-outs is available at [www.foremancompany.com/linear-resistors](http://www.foremancompany.com/linear-resistors).**

## **VII. WHAT DO I HAVE TO PAY?**

You do not have to pay the lawyers working on these Class Actions any money out of pocket. Class Counsel will be paid from the money collected in these Class Actions. The courts will be asked to decide how much Class Counsel will be paid. Class Counsel will collectively be asking at the settlement approval hearings that the courts approve legal fees of 25% of the Settlement Funds, plus disbursements and applicable taxes. Any approved Class Counsel fees, disbursements and applicable taxes will be paid out of the Settlement Funds.

If you wish to comment on or make an objection to Class Counsel fees, a written submission must be delivered to the appropriate Class Counsel at the addresses listed below **by January 29, 2021 at the latest**. Class Counsel will forward all such submissions to the appropriate court. If you do not file a written submission by the deadline, you may not be entitled to participate in the hearing, and your submission may not be brought to the attention of the courts.

## **VIII. WHAT IF THE SETTLEMENT AGREEMENT IS NOT APPROVED?**

The certification/authorization order and the associated opt-out process are only valid if the settlement is approved. If the settlement is not approved or if it otherwise fails to take effect, the certification/authorization order will not stand and any opt-out notice submitted by any person will be set aside, and the litigation will continue against Panasonic. In that case, if a certification/authorization order is granted by the court in the future, an opt-out process will take place at that time.

## **IX. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS?**

- Foreman & Company and Siskinds<sup>LLP</sup> represents Settlement Class Members in Ontario and in all provinces other than British Columbia and Québec. Foreman & Company can be reached at:
- Toll free at 1-855-814-4575 ext. 106, by fax at 1-226-884-5340, by e-mail at [classactions@foremancompany.com](mailto:classactions@foremancompany.com) or by mail at 4 Covent Market Place, London, Ontario N6A 1E2, Attention: Jonathan Foreman.
- Camp Fiorante Matthews Mogerman<sup>LLP</sup> represents Settlement Class Members in British Columbia. Camp Fiorante Matthews Mogerman<sup>LLP</sup> can be reached at:

Toll free at 1-800-689-2322, by fax at 1-604-689-7554, by e-mail at [info@cfmlawyers.ca](mailto:info@cfmlawyers.ca) or by mail at Suite 400, 856 Homer Street, Vancouver, British Columbia V6B 2W5, Attention: Sharon Wong.

- Belleau Lapointe s.e.n.c.r.l. represents Settlement Class Members in Québec. Belleau Lapointe s.e.n.c.r.l. can be reached at:

Toll free at 1-888-987-6701, by fax at 1-514-987-6886, by e-mail at [info@belleaulapointe.com](mailto:info@belleaulapointe.com) or by mail at 300, Place d'Youville, Bureau B-10, Montréal, Québec H2Y 2B6, Attention: Josée Cavalancia.

## **X. WHERE CAN I ASK MORE QUESTIONS?**

This notice contains only a summary of the settlement and Settlement Class Members are encouraged to review the complete settlement agreement. A copy of the settlement agreement can be downloaded from the settlement website at [www.foremancompany.com/linear-resistors](http://www.foremancompany.com/linear-resistors). If you would like a copy of the settlement agreement or have questions that are not answered online, please contact the appropriate Class Counsel identified above. **Inquires should not be directed to the courts.**

## **XI. INTERPRETATION**

This notice contains a summary of some of the terms of the Panasonic settlement agreement. If there is a conflict between the provisions of this notice and the settlement agreement, the terms of the settlement agreement shall prevail.