

# PROPOSED SETTLEMENTS AND DISTRIBUTION OF SETTLEMENT FUNDS IN CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS

## BETWEEN 1999 AND 2017, DID YOU OR YOUR COMPANY:

1. Purchase and/or lease a new or used automotive vehicle in Canada or for import into Canada; and/or
2. Purchase any of the following parts for installation into an automotive vehicle: air flow meters, alternators, automotive wire harness systems, electronic control units, electronic throttle bodies, fuel injection systems, ignition coils, inverters, motor generators, occupant safety systems, starters, and/or valve timing control devices?

If so, you might be affected by settlements reached in the class actions.

## SETTLEMENTS ACHIEVED

Settlements have been reached with the following defendants:

- Autoliv, Inc., Autoliv ASP, Inc., Autoliv B.V. & Co. K.G., Autoliv Electronics Canada Inc., Autoliv Japan Ltd., Autoliv Safety Technology, Inc., Autoliv Canada, Inc. and VOA Canada Inc. in the occupant safety systems action for US\$3,200,000 for the period between 2003 and 2014.
- Hitachi, Ltd., Hitachi Automotive Systems, Ltd. and Hitachi Automotive Systems Americas, Inc. in the following class actions:

PART	RELEVANT PERIOD	AMOUNT
Air Flow Meters	2000 to 2017	\$ 725,000
Alternators	2000 to 2017	\$ 950,000
Electronic Control Units	1999 to 2016	\$ 150,000
Electronic Throttle Bodies	2000 to 2017	\$1,000,000
Fuel Injection Systems	2000 to 2017	\$1,267,084
Ignition Coils	2000 to 2017	\$1,100,000
Inverters	2000 to 2017	\$ 150,000
Motor Generators	2000 to 2017	\$ 150,000
Starters	2000 to 2017	\$ 575,000
Valve Timing Control Devices	2000 to 2017	\$ 600,000
<b>TOTAL:</b>		<b>\$6,667,084</b>



- Leoni AG, Leoni Kabel GmbH, Leoni Wiring Systems, Inc., Leonische Holding, Inc., Leoni Wire Inc., Leoni Elocab Ltd. and Leoni Bordnetz-Systeme GmbH in the automotive wire harness systems action for \$250,000 for the period between 1999 and 2014.

The settlements are a compromise of disputed claims and not an admission of liability, wrongdoing or fault by any of the parties. The settlements require court approval in Ontario, British Columbia and/or Quebec.

Settlement class members have the right to exclude themselves from the air flow meters, alternators, electronic throttle bodies, fuel injection systems, ignition coils, inverters, motor generators, starters and valve timing control devices proceedings ("opt-out"). If you opt-out you will not be eligible to participate in, or receive money from, the ongoing class action, but you will be able to start or continue your own case regarding the claims at issue. If you do nothing, you will be eligible to participate in, and may receive money from, the ongoing class action, but you will not be able to start or continue your own case regarding the claims at issue. If you wish to opt-out of the proceedings listed above, you must submit a request to opt-out postmarked no later than June 19, 2017. The time to opt-out of the automotive wire harness systems, electronic control units and occupant safety systems actions has already expired.

CONTINUED →

For more information (including relevant deadlines), visit [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts)  
email [autoparts@sotosllp.com](mailto:autoparts@sotosllp.com) or call **1.888.977.9806**

# PROPOSED DISTRIBUTION OF THE AUTOMOTIVE WIRE HARNESS SYSTEMS SETTLEMENT FUNDS

The courts will also be asked to approve a protocol for distributing the aggregate automotive wire harness systems settlement funds (approximately \$25.5 million), plus accrued interest, less court-approved legal fees and other expenses. A copy of the proposed distribution protocol is available at [www.classaction.ca/autoparts-automotive-wire-harness-systems/](http://www.classaction.ca/autoparts-automotive-wire-harness-systems/).

To be eligible for compensation, a Settlement Class Member must have purchased and/or leased one or more of the following “Affected Vehicles”:

- new passenger cars, SUVs, vans, and light trucks (up to 10,000 lbs) purchased and/or leased under the following brands: Toyota, Lexus, Honda, Acura, Subaru, Nissan, and Infiniti between January 1, 1999 and November 30, 2014; or
- new Pontiac Vibe between January 1, 1999 and November 30, 2014.

Settlement Class Members can claim in respect of up to three undocumented purchases.

The proposed distribution protocol provides that, subject to further order of the Ontario court, the settlement funds will be distributed on a *pro rata* (proportional basis) based 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 a portion thereof for leased vehicles).

(b) The timing of the Affected Vehicle purchase or lease: Purchases during the March 1, 2010 to November 30, 2014 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) *National Brand Importers* means General Motors of Canada Company (in respect of the Pontiac Vibe), Nissan Canada Inc., and Subaru Canada, Inc. National Brand Importers’ purchases or leases will be valued at 7.5% of the purchase price.

(ii) *Dealership* means a Settlement Class Member who purchased Affected Vehicles from a National Brand Importer, Honda Canada Inc., Toyota Canada Inc. or a subsidiary thereof, for resale to End Users. Dealerships’ 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.

See the long-form notice available online at [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts) for a sample calculation.

## CLASS COUNSEL

The law firms of Siskinds LLP, Sotos LLP, Camp Fiorante Matthews Mogerman and Siskinds Desmeules s.e.n.c.r.l. represent members of these class actions.

For more information (including relevant deadlines), visit [www.classaction.ca/autoparts](http://www.classaction.ca/autoparts) email [autoparts@sotosllp.com](mailto:autoparts@sotosllp.com) or call 1.888.977.9806