



Court File No.: 3795/14 CP

ONTARIO

SUPERIOR COURT OF JUSTICE

THE HONOURABLE
MR. JUSTICE RAIKES

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)

Monday, THE 10th DAY
OF December, 2018

BETWEEN:

CYGNUS ELECTRONICS CORPORATION and SEAN ALLOTT

Plaintiffs

- and -

PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA;
PANASONIC CANADA INC.; SANYO ELECTRIC CO., LTD.; NEC TOKIN CORPORATION;
NEC TOKIN AMERICA INC.; KEMET CORPORATION; KEMET ELECTRONICS
CORPORATION; NIPPON CHEMI-CON CORPORATION; UNITED CHEMI-CON
CORPORATION; HITACHI CHEMICAL CO., LTD.; HITACHI CHEMICAL COMPANY
AMERICA, LTD.; HITACHI CANADA; NICHICON CORPORATION; NICHICON (AMERICA)
CORPORATION; AVX CORPORATION; RUBYCON CORPORATION; RUBYCON AMERICA
INC.; ELNA CO., LTD.; ELNA AMERICA INC.; MATSUO ELECTRIC CO., LTD.; TOSHIN
KOGYO CO., LTD.; SAMSUNG ELECTRO-MECHANICS; SAMSUNG ELECTRO-MECHANICS
AMERICA INC.; SAMSUNG ELECTRONICS CANADA INC.; ROHM CO., LTD.; ROHM
SEMICONDUCTOR U.S.A., LLC.; HITACHI AIC INC.; HITACHI CHEMICAL ELECTRONICS
CO., LTD.; FPCAP ELECTRONICS (SUZHOU) CO., LTD.; FUJITSU LTD.; FUJITSU CANADA,
INC.; HOLY STONE ENTERPRISE CO., LTD.; VISHAY POLYTECH CO., LTD. f/k/a
HOLYSTONE POLYTECH CO., LTD.; MILESTONE GLOBAL TECHNOLOGY, INC. d/b/a
HOLYSTONE INTERNATIONAL; and HOLY STONE HOLDINGS CO., LTD.

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992, S.O. 1992, c. 6*


ORDER
(Fee Approval)

THIS MOTION, made by the plaintiffs for an order approving Class Counsel's fees, disbursements, and applicable taxes, was heard this day at the Court House, 80 Dundas Street, London, Ontario.

ON READING the materials filed and on hearing the submissions of counsel for the plaintiffs:

1. **THIS COURT ORDERS AND DECLARES** that for the purposes of this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order.
2. **THIS COURT ORDERS** that the retainer agreements entered into with the representative plaintiffs Cygnus Electronics Corporation and Sean Allott are hereby approved pursuant to section 32(2) of the *Class Proceedings Act, 1992*.
3. **THIS COURT ORDERS** that the request of class counsel for payment of contingent legal fees of \$725,000.00 plus applicable taxes, and partial reimbursement of their disbursements, in the amount of \$225,000.00 plus applicable taxes, is approved.
4. **THIS COURT ORDERS** that Class Counsel's legal fees, disbursements, and applicable taxes shall be paid from the Settlement Amount.
5. **THIS COURT ORDERS** that the Orders set out in paragraphs 3 and 4 above are contingent on parallel or equivalent Orders being made by the Supreme Court of British Columbia in the BC Action and by the Superior Court of Québec in the Québec Action.

Date: Dec 17/18



The Honourable Justice Raikes

ORDER ENTERED
DEC 17 2018
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CYGNUS ELECTRONICS CORPORATION, et al.

PANASONIC CORPORATION, et al.

Court File No. 3795/14 CP

Plaintiffs

Defendants

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

**ORDER
(Motion for Fee Approval)**

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