



No. S-146293
Vancouver Registry

In the Supreme Court of British Columbia

Between

SARA RAMSAY

Plaintiff


and

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

Defendants

BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996, c. 50

**ORDER MADE AFTER APPLICATION
RE CERTIFICATION FOR MATSUO SETTLEMENT AND
NOTICE OF SETTLEMENT APPROVAL HEARING**

 BEFORE THE HONOURABLE JUSTICE
BRONGERS

) JULY 26, 2024
)

ON THE APPLICATION of Plaintiff, Sara Ramsay, without a hearing;

ON READING the materials filed, including the settlement agreement entered into with Matsuo Electric Co., Ltd. (the "**Settling Defendant**") dated November 30, 2023 (the "**Settlement Agreement**");

AND ON BEING ADVISED that RicePoint Administration Inc. ("**RicePoint**") has consented to being appointed as notice provider in accordance with the terms of this Order;

AND ON BEING ADVISED that the Plaintiff and the Settling Defendant consent to this Order and that the non-settling defendants, Hitachi Chemical Co. America, Ltd., Hitachi Canada, AVX Corporation, Rubycon Corporation, and Rubycon America Inc. (the "**Non-Settling Electrolytic Defendants**") take no position on this application;

AND ON BEING ADVISED that the Ontario Court issued a substantially similar, parallel order on June 20, 2024.

THIS COURT ORDERS that:

1. except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order;
2. this action (also referred to as the BC Electrolytic Action) is certified as a class proceeding as against the Settling Defendant for settlement purposes only;
3. the BC Electrolytic Settlement Class is defined as:

All Persons in British Columbia who purchased Electrolytic Capacitors¹ or a product containing an Electrolytic Capacitors during the Electrolytic Class Period² except Excluded Persons³

¹*Electrolytic Capacitors* means aluminum and tantalum electrolytic capacitors.

² *Electrolytic Class Period* means September 1, 1997 to December 31, 2014.

³ *Excluded Person* means each Defendant, the directors and officers of each Defendant, the subsidiaries or affiliates of each Defendant, the entities in which each Defendant or any of that Defendant's subsidiaries or affiliates have a controlling interest and the legal representatives, heirs, successors and assigns of each of the foregoing.

4. the BC Electrolytic Action is certified on the basis of the following issue which is common to the BC Electrolytic Settlement Class:

Did the Settling Defendant conspire to fix, raise, maintain or stabilize the price of, or allocate markets and customers of, Electrolytic Capacitors directly or indirectly in Canada during the Electrolytic Class Period? If so, what damages, if any, did Electrolytic Settlement Class Members suffer?

5. Sara Ramsay is appointed as the representative plaintiff for the BC Electrolytic Settlement Class;

6. this Order, including but not limited to the certification of this action against the Settling Defendant for settlement purposes and the definitions of the BC Electrolytic Settlement Class, Electrolytic Class Period and Common Electrolytic Issue, and any reasons given by the Court in connection with this Order, is without prejudice to the rights and defences of the Non-Settling Electrolytic Defendants in connection with the ongoing BC Electrolytic Action and, without restricting the generality of the foregoing, may not be relied on by any Person to establish jurisdiction, the criteria for certification (including class definition) or the existence or elements of the causes of action asserted in the BC Electrolytic Action, as against the Non-Settling Electrolytic Defendants;

7. The opt-out period provided pursuant to the order of this Court made on July 12, 2018, satisfies the requirement of section 16 of the *Class Proceedings Act*, RSBC 1996, c 50 for the purposes of this action, such that no further opt-out period is necessary for the BC Electrolytic Action and such that the opt-out period expired on October 24, 2018;

8. the proposed short-form, long-form, banner ad, and press release notices of certification and settlement approval hearing (collectively the "**Notices**") are hereby approved substantially in the form attached hereto as **Schedules "A" to "D"**;

9. the plan of dissemination of the Notices (the "**Plan of Dissemination**") is hereby approved in the form attached hereto as **Schedule "E"** and that the Notices shall be disseminated in accordance with the Plan of Dissemination;

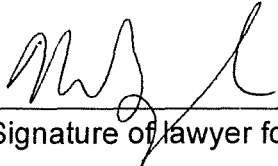
10. RicePoint is appointed to disseminate the Notices in accordance with the terms of this Order;

11. this Order is contingent upon parallel orders being made by the Ontario Court in the Ontario Electrolytic Action and Ontario Film Action and the Québec Court in the Québec Action, and the terms of this Order shall not be effective unless and until such orders are made in the Ontario Electrolytic Action, the Ontario Film Action and the Québec Action;

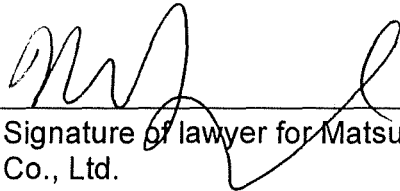
12. if the Settlement Agreement is not approved, is terminated in accordance with its terms or otherwise fails to take effect for any reason, paragraphs 1 to 6 and 8 to 11 of this Order, including certification for settlement purposes, shall be deemed to have been set aside and declared null and void and of no force or effect, without the need for any further Order of this Court. In those circumstances, a case management conference shall be convened to seek directions, including in respect of the need for and form and content of additional notice to BC Electrolytic Settlement Class Members; and

13. endorsement of this Order by counsel for the Non-Settling Electrolytic Defendants shall be dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:




Signature of lawyer for the Plaintiff

 Michelle Segal

Signature of lawyer for Matsuo Electric Co., Ltd.

Michelle Segal

For Adam S. Goodman
by permission
By the Court



Registrar

BRONGEN J.

FORM
CHECKED
NR

LEGAL NOTICE AUTHORIZED BY THE ONTARIO SUPERIOR COURT OF JUSTICE, THE SUPREME COURT OF BRITISH COLUMBIA AND THE SUPERIOR COURT OF QUÉBEC

NOTICE OF CERTIFICATION / AUTHORIZATION FOR SETTLEMENT PURPOSES AND OF SETTLEMENT APPROVAL HEARINGS IN THE CANADIAN ELECTROLYTIC & FILM CAPACITORS CLASS ACTIONS

Did you purchase an aluminum or tantalum electrolytic capacitor or an electronic device containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014 or a film capacitor or an electronic device containing a film capacitor between January 1, 2002 and December 31, 2014? If so, your legal rights could be affected.

WHAT ARE THE CLASS ACTIONS ABOUT?

"Electrolytic capacitors" and "film capacitors" are two types of electronic components used in an electrical circuit in order to store a charge. Aluminum and tantalum electrolytic and film capacitors are found in electronics like smartphones, gaming consoles, home appliances and televisions, among other products.

Class actions alleging price-fixing and related conduct are ongoing in Canada on behalf of Canadians who purchased: 1) an aluminum or tantalum electrolytic capacitor or a product containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014 (the "Electrolytic Settlement Class Members"), and/or 2) a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014 (the "Film Settlement Class Members") (collectively the "Class Actions").

ELECTROLYTIC AND FILM CAPACITOR SETTLEMENTS

Settlements have been reached with Matsuo Electric Co., Ltd. ("Matsuo") in the electrolytic and film capacitors matters and Shizuki Electric Co., Inc. and American Shizuki Corporation ("Shizuki") in the film capacitors matter.

Matsuo has agreed to pay CAD \$1,175,000 for the benefit of the Electrolytic Settlement Class Members and CAD \$25,000 for the benefit of the Film Settlement Class Members.

Shizuki has agreed to pay CAD \$225,000 for the benefit of the Film Settlement Class Members.

In addition, Matsuo and Shizuki will provide cooperation to the plaintiffs in pursuing their claims against the remaining non-settling defendants. In exchange, Matsuo and Shizuki will be provided with a full release of the claims made against them in the Class Actions. The settlements are not an admission of liability, fault, or wrongdoing, but are a compromise of disputed claims.

The plaintiffs sought and were granted certification/ authorization for settlement purposes in Ontario, British Columbia and Québec on behalf of the Electrolytic Settlement Class Members in respect of the Matsuo settlement. Certification was also sought and granted for settlement purposes in Ontario on behalf of all national Film Settlement Class Members in respect of the Matsuo settlement and in Ontario and BC in respect of the Shizuki settlement.

Prior settlements with other defendants in the Class Actions have been approved by previous orders of the courts. Information with respect to these prior settlements can be found at www.capacitorclassaction.ca.

SETTLEMENT APPROVAL HEARINGS

The Matsuo and Shizuki settlements must be approved by the courts before they become effective. Hearings are currently scheduled to take place in Ontario, British Columbia and Québec for the electrolytic capacitors matter, in Ontario for the Matsuo settlement in the film capacitors matter and in Ontario and BC for the Shizuki settlement in the film capacitors matter at:

- the Ontario Superior Court of Justice on *, 2024 at * a.m., by virtual hearing;
- the Supreme Court of British Columbia on *, 2024 at * a.m., in person at 800 Smithe Street
- Vancouver, British Columbia; and
- the Superior Court of Québec on *, 2024 at * a.m., in person at 1 Notre Dame Street, Montréal, Québec, court room * and by virtual hearing.

If you think you are an Electrolytic or Film Settlement Class Member and you want to participate in the settlement approval hearing in your jurisdiction, please contact the lawyers working on the Class Actions as listed below to confirm the date and time of the hearing and for instructions and particulars on how to

participate, or visit www.capacitorclassaction.ca for more information.

DISTRIBUTION OF SETTLEMENT FUNDS

The electrolytic settlement amount and the film settlement amount, minus court-approved lawyers' fees, disbursements and applicable taxes, will be held in separate interest-bearing trust accounts, along with the previous settlement amounts, for the benefit of Electrolytic and Film Settlement Class Members in the Class Actions (the "Settlement Funds").

As the Class Actions remain ongoing and as further recoveries may be achieved, the Settlement Funds will not yet be distributed to Electrolytic or Film Settlement Class Members. At a future time, the courts will approve a process for the payment of claims to class members. A further notice will be provided at the time of distribution.

STATUS OF THE CLASS ACTIONS

The Matsuo settlement is the tenth settlement entered into in the electrolytic capacitors matter. The Shizuki and Matsuo settlements are the ninth and tenth settlements entered into in the film capacitors matter. The Class Actions continue against 4 groups of non-settling defendants in the electrolytic capacitors matter and 8 groups of non-settling defendants in the film capacitors matter.

SETTLEMENT APPROVAL AND LAWYERS' FEES

At the settlement approval hearings, the courts will determine whether the settlements are fair, reasonable, and in the best interests of the Electrolytic and Film Settlement Class Members.

The lawyers working on these Class Actions will be requesting court approval of fees of 25% of the electrolytic and film settlement amounts, plus disbursements and applicable taxes. This request may be heard in whole or in part by the courts at the same time as the settlement approval hearings or at a later date. If approved, these amounts may be paid to the lawyers out of the Settlement Funds at that time.

If you do not oppose the proposed settlement, you do not need to do anything at this time.

If you wish to comment on or object to the settlements or the lawyer's fees, you must deliver a written submission to one of the law firms listed below by *, 2024. The lawyers will forward any submissions to the appropriate court.

OPTING OUT OF THE PROCEEDINGS

The court-ordered deadline for Electrolytic and Film Class Members to opt out of the Class Actions was October 24, 2018. If you did not previously opt out, you are legally bound by the result of the Class Actions, including the Matsuo and Shizuki settlements.

MORE INFORMATION

If you have any questions about the Class Actions or to review the long-form notice which contains additional information please visit www.capacitorclassaction.ca <http://elec.capacitorclassaction.ca> or contact:

Foreman & Company: Toll free at 1-855-814-4575 ext.107 or e-mail at classactions@foremancompany.com (Canada excluding BC and QC)

CFM Lawyers LLP: Toll free at 1-800-689-2322 or e-mail at info@cfmlawyers.ca (BC)

Belleau Lapointe s.e.n.c.r.l.: Toll free at 1-888-987-6701 or e-mail at info@belleaulapointe.com (QC)

**NOTICE OF CERTIFICATION / AUTHORIZATION FOR SETTLEMENT PURPOSES AND
SETTLEMENT APPROVAL HEARINGS IN THE CANADIAN ELECTROLYTIC & FILM
CAPACITORS CLASS ACTIONS**

TO: All persons in Canada who purchased an aluminum or tantalum electrolytic capacitor or a product containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014 (the "Electrolytic Settlement Class Members") and/or a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014 (the "Film Settlement Class Members").

If you bought an electronic device such as a computer, smartphone, gaming console, home appliance or television containing an electrolytic and/or film capacitor, you may be an Electrolytic or Film Settlement Class Member and your legal rights could be affected.

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

1. 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".

2. WHAT ARE ELECTROLYTIC AND FILM CAPACITORS AND WHAT ARE THESE CLASS ACTIONS ABOUT?

"Electrolytic capacitors" and "film capacitors" are two types of electronic components used in an electrical circuit in order to store a charge. Aluminum and tantalum electrolytic and film capacitors are found in electronics like smartphones, gaming consoles, home appliances and televisions, among other products.

In 2014, class proceedings were initiated in Ontario, British Columbia and Québec on behalf of Canadians who purchased an aluminum or tantalum electrolytic capacitor or a product containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014 (the "Electrolytic Class Period"). In 2015 and 2016, separate class proceedings were initiated on behalf of Canadians who purchased a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014 (the "Film Class Period") (together the "Class Actions")

The Class Actions claim that the companies that sell aluminum or tantalum electrolytic and film capacitors were involved in unlawful conspiracies to fix, maintain or increase the prices of these products.

3. WHAT IS A SETTLEMENT AND WHAT SETTLEMENT HAS BEEN REACHED IN THESE CLASS ACTIONS?

What is a settlement?

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.

Settlement agreements have been reached in the Class Actions. The plaintiffs in the Class Actions have agreed to provide a combined notice of the settlements to class members in their respective proceedings.

What new settlement has been reached?

Settlements have been reached with Matsuo Electric Co., Ltd. ("Matsuo") in the electrolytic and film capacitors matters and Shizuki Electric Co., Inc. and American Shizuki Corporation ("Shizuki") in the film capacitors matter.

Matsuo has agreed to pay CAD \$1,175,000 for the benefit of the Electrolytic Settlement Class Members and CAD \$25,000 for the benefit of the Film Settlement Class Members.

Shizuki has agreed to pay CAD \$225,000 for the benefit of the Film Settlement Class Members.

In addition, Matsuo and Shizuki have agreed to provide cooperation to the plaintiffs in pursuing their claims against the non-settling defendants. In exchange, they will be provided with a full release of the claims against them in relation to the Class Actions.

The settlements are not an admission of liability, fault, or wrongdoing, but are a compromise of disputed claims. The plaintiffs sought and were granted certification/ authorization for settlement purposes in Ontario, British Columbia and Québec on behalf of the Electrolytic Settlement Class Members in respect of the Matsuo settlement. Certification was also sought and granted for settlement purposes in Ontario on behalf of Film Settlement Class Members in respect of the Matsuo settlement and in Ontario and BC in respect of the Shizuki settlement.

The Settlement Approval Hearings

The settlements are subject to court approval. There will be settlement approval hearings in Ontario, British Columbia and Québec for the electrolytic capacitors matter in respect of the Matsuo settlement. There will also be a settlement approval hearing in Ontario for the film capacitors matter in respect of the Matsuo and Shizuki settlements and in BC in respect of the Shizuki settlement. These hearings are currently scheduled as follows:

- Before the Ontario Superior Court of Justice on •, 2024 at • a.m., by virtual hearing;
- Before the Supreme Court of British Columbia on •, 2024 at • a.m., in-person at 800 Smithe Street Vancouver, British Columbia; and
- Before the Superior Court of Québec on •, 2024 at • a.m., in-person at 1 Notre Dame Street, Montréal, Québec, court room • and by virtual hearing.

In considering the approval of the settlements, the courts will decide whether the settlements are fair, reasonable, and in the best interests of Electrolytic and Film Settlement Class Members.

If you think you are an Electrolytic or Film Settlement Class Member and you want to participate in the settlement approval hearing in your jurisdiction, please contact the lawyers working on the Class Actions to confirm the date and time of the hearing and for instructions and particulars on how to participate. Contact information for the lawyers can be found below. Please visit www.capacitorclassaction.ca for further information in advance of the settlement approval hearings.

Previous Settlements Reached

Previous settlements have been reached in the electrolytic capacitors matter with the TOKIN, Panasonic, ELNA, Holy Stone, ROHM, Fujitsu, KEMET, Nichicon and NCC/UCC defendants, valued collectively at CAD \$54,280,000 and in the film capacitors matter with the Okaya, Nitsuko, Panasonic, ELNA, Holy Stone, KEMET, Nichicon and NCC/UCC defendants, collectively valued at CAD \$3,167,000. These settlements have been approved by previous orders of the courts.

For more information about the settlements, please visit the settlement website at www.capacitorclassaction.ca.

4. WHO IS AFFECTED BY THE SETTLEMENT?

While the Class Actions were started in Ontario, British Columbia and Québec, they include persons in all provinces and territories in Canada who purchased an aluminum or tantalum electrolytic and/or film capacitor or a product containing an aluminum or tantalum electrolytic and/or a film capacitor.

The Electrolytic Settlement Class Members are: ***all persons in Canada who purchased an aluminum or tantalum electrolytic capacitor or a product containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014.***

The Film Settlement Class Members are: ***all persons in Canada who purchased a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014.***

5. WHEN WILL THE SETTLEMENT AMOUNTS BE DISTRIBUTED?

The electrolytic settlement amount and film settlement amount, minus court-approved lawyers' fees, disbursements and applicable taxes, will be held in separate interest-bearing trust accounts with the previous settlement amounts, for the benefit of the Electrolytic and Film Settlement Class Members in the Class Actions (the "Settlement Funds").

As the Class Actions remain ongoing and as further recoveries may be achieved, the Settlement Funds will not be distributed to Electrolytic or Film Settlement Class Members at this time. At a future time, the courts will approve a process for the payment of claims to class members. Watch for another notice explaining how to claim money from the settlements.

6. WHAT IS THE STATUS OF THE CLASS ACTIONS AGAINST THE OTHER DEFENDANTS?

Matsuo is the tenth defendant to enter into a settlement in the electrolytic capacitors matter. Shizuki and Matsuo are the ninth and tenth defendants to enter into a settlement in the film capacitors matter. The Class Actions will continue against 4 groups of non-settling defendants in the electrolytic capacitors matter and 8 groups of non-settling defendants in the film capacitors matter.

In Québec, the class action with respect to electrolytic capacitors was authorized by the Superior Court of Québec on March 22, 2019. This means that the class action can proceed towards trial against the non-settling defendants and the common issues (as defined in the authorization judgment) will be determined in a single proceeding on behalf of all the members of the authorized class. A motion for certification of the Ontario electrolytic class action was heard by the Ontario Superior Court of Justice over several days between September 28, 2022 – October 7, 2022. On April 28, 2023, the Ontario Superior Court of Justice certified the Ontario electrolytic action. The non-settling defendants have sought leave to appeal the certification decision.

7. WHAT DO I NEED TO DO AT THIS TIME?

If you do not oppose the proposed settlements, you do not need to do anything.

If you want to tell the courts what you think about the proposed settlements or speak to the courts at the hearings mentioned above, you must send your written submissions to the lawyers working on the Class Actions **by •, 2024 at the latest**. Contact information for the lawyers can be found under heading 11 below. The lawyers will file all such submissions with the appropriate court.

8. OPT OUT DEADLINE PASSED ON OCTOBER 24, 2018

The court-ordered deadline for Electrolytic and Film Class Members to opt out of the Class Actions was **October 24, 2018**. If you did not previously opt out, you are legally bound by the results of the Class Actions, including the Matsuo and Shizuki settlement agreements.

9. WHAT DO I HAVE TO PAY?

You do not have to pay the lawyers working on the Class Actions any money. Lawyers working on these Class Actions 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. While the respective retainer agreements permit a fee request of up to 30%, at this time the lawyers will collectively be asking that the courts approve legal fees of 25% of the Electrolytic and Film settlement amounts, plus disbursements and applicable taxes. This request may be heard in whole or in part by the courts at the same time as the settlement approval hearings or at a later date. Any approved lawyers' fees, disbursements and applicable taxes may be paid out of the settlement amounts at that time.

If you wish to comment on or make an objection to lawyers' fees, a written submission must be delivered to the appropriate lawyers at the addresses listed below **by •, 2024, at the latest**. Lawyers will forward all such submissions to the appropriate court. If you do not file a written submission by the deadline, you might not be entitled to participate in the hearing, and your submission may not be brought to the attention of the courts.

10. WHAT IF THE SETTLEMENT AGREEMENT IS NOT APPROVED?

The certification/authorization orders for settlement purposes only are only valid if the settlement is approved by all three courts in Ontario, BC and Québec in respect of Matsuo and by the Ontario and BC courts in respect of Shizuki.

If the settlements, or either one of them, are not approved or otherwise fail to take effect, the certification/authorization for settlement purposes orders will not stand, and the litigation will continue against Matsuo and Shizuki in the Class Actions.

11. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS?

- **British Columbia:** CFM Lawyers LLP represents Electrolytic Settlement Class Members in British Columbia and 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 or by mail at Suite 400, 856 Homer Street, Vancouver, British Columbia V6B 2W5, Attention: Sharon Wong.

- **Québec:** Belleau Lapointe s.e.n.c.r.l. represents Electrolytic Settlement Class Members in Québec and 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 or by mail at 300, Place d'Youville, Bureau B-10, Montréal, Québec H2Y 2B6, Attention: Sofia Brault.

- **All other provinces and territories:** Foreman & Company represents Electrolytic Settlement Class Members in all provinces and territories other than British Columbia and Québec, and represents all Film Settlement Class Members in Canada. Foreman & Company can be reached:

Toll free at 1-855-814-4575 ext. 107, by fax at 1-226-884-5340, by e-mail at classactions@foremancompany.com or by mail at 4 Covent Market Place, London, Ontario N6A 1E2, Attention: Anni Barry.

12. WHERE CAN I ASK MORE QUESTIONS?

This notice contains only a summary of the Matsuo and Shizuki settlements in the Class Actions. Electrolytic and Film Settlement Class Members are encouraged to review the complete settlement agreements. Copies of the settlement agreements (in English and French) can be downloaded from the settlement website at www.capacitorclassaction.ca. If you would like a copy of the settlement agreements or have questions that are not answered online, please contact the appropriate lawyers identified above. **Inquiries should not be directed to the courts.**

13. INTERPRETATION

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

Banner Ad Content

Did you purchase an aluminum or tantalum electrolytic capacitor or a product containing them between September 1, 1997 and December 31, 2014 or a film capacitor or a product containing them between January 1, 2002 and December 31, 2014 in Canada?

Products include smartphones, gaming consoles, home appliances and televisions among other electronic products.

IF SO, YOUR LEGAL RIGHTS MAY BE AFFECTED BY RECENT CLASS ACTION SETTLEMENTS. [CLICK TO LEARN MORE.](#)

Proposed Settlements Totaling CAD \$1.425M Reached in Electrolytic & Film Capacitor Class Actions

LONDON, ON – [DATE] – Proposed national settlements totaling CAD \$1,425,000 for the benefit of class members have been reached in class actions alleging price fixing and related conduct on behalf of Canadians who purchased aluminum and tantalum electrolytic and/or film capacitors and products containing aluminum and tantalum electrolytic and/or film capacitors.

Matsuo Electric Co., Ltd. ("Matsuo") has agreed to pay CAD \$1,175,000 for the benefit of the Electrolytic Settlement Class Members and CAD \$25,000 for the benefit of the Film Settlement Class Members.

Shizuki Electric Co., Inc. and American Shizuki Corporation ("Shizuki") has agreed to pay CAD \$225,000 for the benefit of the Film Settlement Class Members.

An "electrolytic capacitor" and a "film capacitor" are two types of electronic components used in an electrical circuit to store a charge. They are found in electronics such as smartphones, gaming consoles, home appliances and televisions, among other electronic products.

To be a member of these class actions, one must have purchased an aluminum or tantalum electrolytic capacitor or a product containing an aluminum or tantalum electrolytic capacitor between September 1, 1997 and December 31, 2014 or have purchased a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014.

In addition, Matsuo and Shizuki have agreed to provide cooperation to the plaintiffs in pursuing their claims against the non-settling defendants. The settlements are not admissions of liability, fault, or wrongdoing, but are compromises of disputed claims. The settlements must be approved by the courts before they become effective.

Because the class actions are still ongoing and other settlements may be reached, the settlement amounts will not yet be distributed to class members. A process for the payment of claims to class members will be sought in the future. That process will be subject to court approval and will follow a further notice to the class.

For more detailed information, and to view the courts' orders, the settlement agreements, the court-approved notices and an explanation of the rights of settlement class members, please visit www.capacitorclassaction.ca.

Class members are represented by:

Foreman & Company (Canada, excluding BC and QC)
CFM Lawyers LLP (BC)
Belleau Lapointe, s.e.n.c.r.l. (QC)

Media contacts:

English: Jonathan Foreman - classactions@foremancompany.com, 519.914.1175 x 102

French: Marie-Ève Dumont, Option consommateurs – 514.777.6133

Electrolytic & Film Capacitors – Plan of Dissemination

The Notice of Certification/Authorization for Settlement Purposes Only and Settlement Approval Hearings will be distributed in short-form, long-form, banner ad, and press release format (collectively the "Notices"). The Notices will be delivered via the following media:

1. The short-and long-form notices, a copy of the settlement agreements entered into with the parties, a copy of certification/authorization for settlement purposes order(s), and a copy of the Ontario endorsement and any other endorsements issued in relation to the certification/authorization for settlement purposes and settlement approval process by the courts in Québec and British Columbia will be posted to the settlement website at capacitorclassaction.ca (.com) and recourscondensateurs.ca (.com) in English and French, where applicable. This information will also be posted, in English and French where practicable, on Class Counsel's respective websites.
2. A link to the settlement websites, as appropriate, will be posted on Class Counsel's social media accounts (including but not limited to LinkedIn and X (formerly Twitter)).
3. By distribution to major news and broadcast outlets across Canada, in English and French, through a press release on Canada Newswire.
4. The short-form notice will be provided to the following organizations, in English and in French, requesting voluntary distribution to their membership and/or that a copy of the short-form notice or information about the actions be posted on their website and social media channels, as applicable:
 - a. The Consumers' Council of Canada; and
 - b. Electronic Products & Technology.

The manner by which any Notices and/or information are distributed will be at the discretion of each organization.

5. There will be a nationally syndicated digital distribution of the banner ad on the Google Display Network, the Facebook network, and to news media websites within the PostMedia network for a period of sixty (60) days, with a target of a minimum 500,000 unique impressions. The banner ad will be provided in English and/or French as applicable and may be modified as necessary to fit the dimensions and specifications as required by particular websites and media providers. The banner ad will redirect class members to the

settlement websites where they will be able to consult the long-form notice among other case documents.

6. Within seven (7) business days of the first publication of the Notices, the short-form notice will be sent by direct mail, fax and/or e-mail to:
 - a. all persons who have registered to receive updates from Class Counsel about the Electrolytic and/or Film Class Actions;
 - b. any Canadian customers of the Settling Defendants disclosed to Class Counsel by the Settling Defendants; and
 - c. any Canadian customers of the previously settled defendants as disclosed to Class Counsel.
7. The short-form notice will be mailed to all potential Electrolytic Capacitors Purchaser companies, except to those addresses where the mail was previously undeliverable, from the "Canadian Importers Database" pulled from Industry Canada under imported product codes HS6 -853221 -Electrical Capacitors; fixed, tantalum and 853222 -Electrical Capacitors; fixed, aluminum electrolytic. Appended to this Plan of Dissemination as **Schedule "A"** is a copy of the list of Electrolytic Capacitors Purchaser companies where the mailing was delivered to companies in 2023. For importers located in Québec, the short-form notice will be sent in English and French.
8. The short-form notice will be mailed to all potential Film Capacitors Purchaser companies, except to those addresses where the mail was previously undeliverable, from the "Canadian Importers Database" pulled from Industry Canada under imported product code HS6 -853225 -Electrical Fixed Capacitors -Dielectric of Paper or Plastics. Appended to this Plan of Dissemination as **Schedule "B"** is copy of the list of Film Capacitors Purchaser companies where the mailing was delivered to companies in 2023. For importers located in Québec, the short-form notice will be sent in English and French.

Schedule "A"

ABB INC DIVISION AUTOMATION
ARROW ELECTRONICS CANADA LTD
AUTOLIV ELECTRONICS CANADA INC.
AVNET INTERNATIONAL (CANADA) LTD/AVNET INTERNATIONAL (CANADA)
BLACKBERRY LIMITED f/k/a RESEARCH IN MOTION LIMITED
CELESTICA LLC
CHEMICALS DIV
C-MAC MICROCIRCUITS ULC
CMC ELECTRONICS INC /CMC ELECTRONIQUE INC
COMMUNICATIONS & POWER INDUSTRIES CANADA INC
COMMUNICATIONS SYSTEMS DIVISION OF GENERAL DYNAMICS CANADA
COOL INNOVATIONS INC
CREATION TECHNOLOGIES LP
DIGI-KEY CORPORATION
DY 4 SYSTEMS INC
ELECTRO SONIC INC
FINNING INTERNATIONAL INC
FUTURE ELECTRONICS INC.
HARRIS CANADA SYSTEMS, INC.
LOGICAN TECHNOLOGIES INC.
MACDONALD, DETTWILER AND ASSOCIATES CORPORATION
NANOWAVE TECHNOLOGIES INC
NEWAGE LTD
NEWARK ELECTRONICS CANADA
SCHNEIDER ELECTRIC IT CORPORATION
SIEMENS CANADA LIMITED/SIEMENS CANADA LIMITEE
SUSTAINABLE ENERGY TECHNOLOGIES LTD.
TECUMSEH PRODUCTS OF CANADA, LIMITED
TELEFLEX MEGATECH INC.
TTI (MONTREAL)
TTI, INC.
UTECH ELECTRONICS
UTI CANADA CONTRACT LOGISTICS INC

Schedule "B"

ABB INC DIVISION AUTOMATION
ACME ELECTRIC (PORT HOPE) LIMITED
ADVENTEC MANUFACTURING INC
AKA INFORMATION DESIGN
ALSTOM RESEAU CANADA INC
ARROW ELECTRONICS CANADA LTD
BOURGAULT INDUSTRIES LTD
CANADIAN NATURAL RESOURCES LIMITED
CARRIER ENTERPRISE CANADA, L.P.
CELESTICA LLC
CHEMICALS DIV
CREATION TECHNOLOGIES LP
DIGI-KEY CORPORATION
DRS TECHNOLOGIES CANADA LTD.
FORD MOTOR COMPANY OF CANADA LIMITED/FORD DU CANADA LIMITEE
FUTURE ELECTRONICS INC.
GENERAL ELECTRIC CANADA
GENERAL ELECTRIC CANADA INTERNATIONAL INC
KOMATSU AMERICA CORP.
LENNOX INDUSTRIES (CANADA) LTD./LES INDUSTRIES LENNOX (CANA
LES EQUIPEMENTS POWER SURVEY LTEE
MEASUREMENTS INTERNATIONAL LIMITED
MEVEX CORPORATION
MIRUS INTERNATIONAL INC.
NEWARK ELECTRONICS CANADA
RAYTHEON CANADA LIMITED
SANMINA-SCI CORPORATION
SIEMENS CANADA LIMITED/SIEMENS CANADA LIMITEE
SMS EQUIPMENT INC/EQUIPEMENT SMS INC
SOLEN ELECTRONIQUE INC
TECUMSEH PRODUCTS OF CANADA, LIMITED
TM4 INC.
TOSHIBA INTERNATIONAL CORPORATION
TOYOTA MOTOR MANUFACTURING CANADA INC
TRENCH LIMITED
TTI (MONTREAL)
TTI, INC.
UTECH ELECTRONICS
VOLTECH INTERNATIONAL INC.

In the Supreme Court of British Columbia

Between

SARA RAMSAY

Plaintiff

and

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

Defendants

BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996, c. 50

ORDER MADE AFTER APPLICATION

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