

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

|   |   |                                |
|---|---|--------------------------------|
| <b>IN RE AUTOMOTIVE PARTS<br/>ANTITRUST LITIGATION</b>            | : | 2:12-md-02311                  |
|   | : | Honorable Marianne O. Battani  |
| <b>IN RE: WINDSHIELD WIPER<br/>SYSTEMS CASES</b>                  | : | Case No. 2:13-cv-00901-MOB-MKM |
|   | : | Case No. 2:13-cv-15125-MOB-MKM |
|   | : | Case No. 2:14-cv-10774-MOB-MKM |
| <b>THIS DOCUMENT RELATES TO:<br/>ALL DIRECT PURCHASER ACTIONS</b> | : |                                |
|   | : |                                |

**SETTLEMENT CLASS COUNSEL’S REPORT ON DISSEMINATION  
OF NOTICE OF PROPOSED SETTLEMENTS WITH THE MITSUBA  
AND DENSO DEFENDANTS AND CLASS MEMBERS’ RESPONSE**

Settlement Class Counsel submit the following report concerning the dissemination of notice pursuant to this Court’s Order dated July 19, 2019 (2:13-cv-00901, ECF No. 116) (the “Notice Order”), and Settlement Class members’ response to the notice program. As described more fully below, notice was mailed to 264 potential Settlement Class members and published in accordance with the Notice Order. No objections were filed to any of the proposed settlements, to the proposed plan for distribution of settlement funds, or to Settlement Class Counsel’s requests for an award of attorneys’ fees and reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative. 11 requests for exclusion from one or more of the settlements were submitted. Neither of the proposed settlements is subject to rescission as a result of the requests for exclusion.

Settlement Class Counsel respectfully submit that the complete absence of objections and the small number of opt-outs militate strongly in favor of approval of the proposed settlements,

the proposed plan for distribution of settlement funds, and the requests for attorneys' fees and litigation costs and expenses and an incentive payment.

#### **I. DISSEMINATION OF NOTICE TO THE CLASSES**

Pursuant to the Court's Notice Order, on August 8, 2019, Epiq Class Action & Claims Solutions, Inc. ("Epiq"), the Notice and Claims Administrator retained by Direct Purchaser Plaintiff, mailed 264 copies of the Notice of Proposed Settlements of Direct Purchaser Class Action with MITSUBA and DENSO Defendants and Hearing on Final Settlement Approval and Related Matters, and Claim Form (the "Notice") to potential Settlement Class members by first class mail, postage prepaid. Declaration of Angie Birdsell, Project Manager for Epiq. Exhibit 1 at ¶ 6. Epiq also re-mailed returned notices for which updated addresses were obtained. *Id.* at ¶ 7. In addition, a copy of the Notice was (and remains) posted online at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems), a website dedicated to this litigation. *Id.* at ¶ 9.

Also, in accordance with the Notice Order, the Summary Notice of Proposed Settlements of Direct Purchaser Class Action with MITSUBA and DENSO Defendants and Hearing on Settlement Approval and Related Matters ("Summary Notice") was published in *Automotive News* on August 12, 2019. *Id.* at ¶ 8. Additionally, an online banner notice appeared for a 21-day period on [www.AutoNews.com](http://www.AutoNews.com), the digital version of *Automotive News*, and an Informational Press Release was issued nationwide on August 12, 2019 via PR Newswire's "Auto Wire," which targets auto industry trade publications. *Id.*

Notice to the MITSUBA and DENSO Settlement Classes under Fed. R. Civ. P. 23 has, therefore, been provided as ordered by the Court.

**II. ABSENCE OF OBJECTIONS TO THE PROPOSED SETTLEMENTS, THE PROPOSED DISTRIBUTION PLAN, AND REQUESTS FOR AN AWARD OF ATTORNEYS' FEES AND EXPENSES AND AN INCENTIVE PAYMENT**

The Notice advised that any objection to the proposed settlements, the proposed plan for distribution of settlement funds, or to Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses and an incentive payment to the Class Representatives had to be filed with the Clerk by September 27, 2019, with copies mailed to Settlement Class Counsel and to counsel for the Settling Defendants.

As of the date of the filing of this Report, no objection to any of the proposed settlements, the distribution plan, or to the fee and expense request or the incentive payment request has been filed with the Court or received by Settlement Class Counsel.

**III. REQUESTS FOR EXCLUSION**

The Notice further advised that requests for exclusion from the MITSUBA and DENSO Settlement Classes had to be mailed to Settlement Class Counsel and to counsel for the Settling Defendants, postmarked no later than September 27, 2019. As of this date, Settlement Class Counsel have received 11 requests for exclusion from one or both of the proposed settlements.<sup>1</sup> Neither of the proposed settlements is subject to rescission as a result of the requests for exclusion.

Settlement Class Counsel respectfully submit that, for the reasons set forth in the Memorandum in Support of Direct Purchaser Plaintiff's Motion for Final Approval of Proposed Settlements with the MITSUBA and DENSO Defendants and Proposed Plan for Distribution of Settlement Funds (the "Final Approval Brief") (2:13-cv-0901, ECF No. 119), each of the proposed

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<sup>1</sup> Settlement Class Counsel received 11 requests for exclusion from the DENSO Settlement Class and 7 requests for exclusion from the MITSUBA Settlement Class. The entities that requested exclusion are set forth in Exhibit 2 and the Settlement Classes from which they opted out are reflected in Exhibit 3.

settlements, is fair, reasonable and adequate under the relevant criteria, and warrants final approval.

**IV. THE REACTION OF MEMBERS OF THE SETTLEMENT CLASSES SUPPORTS APPROVAL OF THE SETTLEMENTS, THE PROPOSED PLAN FOR DISTRIBUTION, AND THE REQUESTS FOR AN AWARD OF FEES AND EXPENSES AND AN INCENTIVE PAYMENT**

The reaction of the class has been recognized repeatedly by courts within this Circuit and elsewhere as a factor in evaluating the fairness, reasonableness, and adequacy of a proposed settlement. *See, e.g., Sheick v. Auto. Component Carrier LLC*, No. 2:09-cv-14429, 2010 WL 4136958, at \*22 (E.D. Mich. Oct. 18, 2010) (“scarcity of objections – relative to the number of class members overall – indicates broad support for the settlement among Class Members.”); *In re Cardizem CD Antitrust Litig.*, 218 F.R.D. 508, 527 (E.D. Mich. 2003) (“That the overwhelming majority of class members have elected to remain in the Settlement Class, without objection, constitutes the ‘reaction of the class,’ as a whole, and demonstrates that the Settlement is ‘fair, reasonable, and adequate.’”); *In re Delphi Corp. Sec., Deriv. & “ERISA” Litig.*, 248 F.R.D. 483, 499 (E.D. Mich. 2008) (small number of opt-outs or objections is indicative of the adequacy of the settlement).

Individual notice of the proposed settlements was mailed to 264 potential Settlement Class members identified by Defendants, and a copy of the Notice was (and remains) posted on-line at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). The Summary Notice was published in *Automotive News* on August 12, 2019, and on that same day an Informational Press Release was issued nationwide via PR Newswire’s “Auto Wire.” Additionally, an online banner notice appeared over a 21-day period on [www.AutoNews.com](http://www.AutoNews.com), the digital version of *Automotive News*. The low number of opt-outs and total absence of objections militates strongly in favor of approval of the proposed settlements, the proposed plan for distribution of settlement funds, and

the requests for attorneys' fees and reimbursement of litigation costs and expenses and an incentive payment.

**V. REQUEST FOR AN AWARD OF ATTORNEYS' FEES**

As of July 31, 2019, Plaintiff's Counsel's lodestar, based upon historical rates, was \$1,218,904.75. Direct Purchaser Plaintiff's Memorandum in Support of Its Motion for an Award of Attorney's Fees, Litigation Costs and Expenses, and an Incentive Payment to the Class Representatives, at 8 (the "Fee Brief") (2:13-cv-0901, ECF No. 120). Since that date, Plaintiff's Counsel have continued their efforts on behalf of the Settlement Classes by, among other things, drafting the final settlement approval submissions and overseeing the dissemination of notice to members of the Settlement Classes in accordance with the Notice Order. As a result of this continued effort, as of September 30, 2019, Plaintiff's Counsel's combined lodestar was \$1,286,007.45. Were the Court to award a fee of 30% of the combined MITSUBA and DENSO settlement proceeds of \$6,216,176, less litigation expenses of \$38,479.54, the multiplier on the more current lodestar would be approximately 1.44.

**VI. CONCLUSION**

Based upon the foregoing, and for the reasons set forth in Direct Purchaser Plaintiff's Final Approval Brief and Fee Brief, it is respectfully requested that the Court grant final approval of the proposed MITSUBA and DENSO settlements, the proposed plan for distribution of settlement funds, and the requests for attorneys' fees and litigation costs and expenses, and an incentive awards to the Class Representative.

DATED: October 25, 2019

Respectfully submitted,

/s/David H. Fink  
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*Interim Co-Lead Class Counsel and Settlement Class Co-Lead Counsel*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 25, 2019, I electronically filed the foregoing paper with the Clerk of the court using the ECF system which will send notification of such filing to all counsel of record registered for electronic filing.

By: /s/Nathan J. Fink  
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# EXHIBIT 1



UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

|                                     |   |                                       |
|-------------------------------------|---|---------------------------------------|
| _____                               | : |                                       |
| <b>In Re: AUTOMOTIVE PARTS</b>      | : | <b>2:12-md-02311</b>                  |
| <b>ANTITRUST LITIGATION</b>         | : | <b>Honorable Marianne O. Battani</b>  |
| _____                               | : |                                       |
|                                     | : | <b>Case No. 2:13-cv-00901-MOB-MKM</b> |
| <b>In Re: WINDSHIELD WIPER</b>      | : | <b>Case No. 2:13-cv-15125-MOB-MKM</b> |
| <b>SYSTEMS CASES</b>                | : | <b>Case No. 2:14-cv-10774-MOB-MKM</b> |
|                                     | : |                                       |
| _____                               | : |                                       |
| <b>THIS RELATES TO:</b>             | : |                                       |
| <b>ALL DIRECT PURCHASER ACTIONS</b> | : |                                       |
| _____                               | : |                                       |

**DECLARATION OF ANGIE BIRDELL RE DISSEMINATION OF NOTICE TO THE  
DIRECT PURCHASER MITSUBA AND DENSO CLASSES**

I, Angie Birdsell, hereby declare as follows:

1. I am a Project Manager for Epiq Class Action & Claims Solutions, Inc. ("Epiq"), the Settlement Administrator in the above-captioned case. I am familiar with the actions taken by Epiq with respect to the proposed settlements reached in this case between the Direct Purchaser Plaintiff and the MITSUBA and DENSO Defendants, as well as the corresponding Class Notice program. This declaration is based upon my personal knowledge and information provided by Defendants' counsel, Plaintiff's counsel, and employees and staff under my supervision and is accurate and truthful to the best of my knowledge.

2. Epiq was established in 1968 as a client services and data processing company. Epiq has been administering bankruptcies since 1985 and settlements since 1993, including settlements of class actions, mass tort litigations, Securities and Exchange Commission enforcement actions, Federal Trade Commission disgorgement actions, insurance disputes, bankruptcies, and other major litigation.

3. Epiq has administered more than 1,000 settlements, including some of the largest and most complex cases ever settled. Epiq's class action case administration services include: coordination of all notice requirements; design of direct-mail notices; establishment and implementation of notice fulfillment services; coordination with the United States Postal Service ("USPS"); notice website development and maintenance; dedicated telephone lines with recorded information and/or telephone agents; receipt and processing of opt-outs; claims database management; claim adjudication; funds management; and award calculations and distribution services. Epiq works with the settling parties, the Court, and the Class Members in a neutral facilitation role to implement settlement administration services based on the negotiated terms of a settlement.

**OVERVIEW OF EPIQ'S RESPONSIBILITIES AS THE SETTLEMENT ADMINISTRATOR**

4. Epiq's responsibilities included the following:
- a. Printing the Court-approved Direct Purchaser Class Notice and Claim Form ("Claim Package") to be sent to putative Class Members;
  - b. Searching the National Change of Address ("NCOA") database for updated addresses, if any, for putative Class Members;
  - c. Mailing the Claim Package by USPS First-class mail to putative Class Members;
  - d. Causing the Summary Publication Notice to be placed in one edition of *Automotive News*, accompanied by an online banner ad that ran for 21 days on [www.AutoNews.com](http://www.AutoNews.com);
  - e. Issuing an informational press release via *PR Newswire*;
  - f. Maintaining a toll-free telephone number with customer service telephone agents and an option to request a call back if reached during non-business hours;
  - g. Maintaining an informational website that provides the public access to pertinent documents and settlement information.

**CLASS NOTICE**

5. In preparation for mailing the Claim Package, Epiq received lists of potential Settlement Class members from Settlement Class Counsel. Epiq then submitted the names and addresses of those potential Class Members to cross-reference with the NCOA database for updated address information. By eliminating duplicate records and invalid mailing addresses, Epiq refined the database to include 264 names and addresses of potential Class Members.

6. On August 8, 2019, Epiq mailed the Claim Packages by first class mail, postage prepaid, to the 264 potential Class Members. A copy of the Claim Package is attached hereto as Exhibit A.

7. As of October 18, 2019, Epiq has received a total of 48 Claim Packages returned by the U.S. Postal Service as undeliverable and has re-mailed 20 Claim Packages to potential Class Members. As of October 18, 2019, there are 28 Claim Packages that remain undeliverable.

**PUBLICATION NOTICE**

8. Epiq caused the publication of the Summary Publication Notice in one edition of *Automotive News* on August 12, 2019, which was accompanied by an online banner ad that ran for a 21-day period on *www.AutoNews.com*, the digital version of *Automotive News*. An Informational Press Release was issued via PR Newswire's "Auto Wire" on August 12, 2019. Confirmation of the publication and copies of the Summary Publication Notice as it appeared in *Automotive News*, the banner ad from *www.AutoNews.com*, and the Informational Notice are attached hereto as Exhibit B.

**SETTLEMENT WEBSITE**

9. On August 8, 2019, Epiq updated portions of the public settlement website to provide Direct Purchase Class Members with information related to the proposed settlements. The domain name for the website is [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). The website

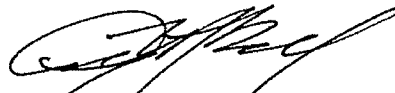
provides general case information and links to important documents, including the Settlement Agreements, the Notice and Claim Form, and other documents related to the settlements.

10. As of October 18, 2019, there have been 1,884 views and 480 unique visitors to the settlement website.

**REQUESTS FOR EXCLUSION**

11. Class Members could request exclusion from the Settlement Classes, so long as they did so by submitting a request in writing that was postmarked by September 27, 2019. As of October 18, 2019, Epiq has received 7 requests for exclusion from the MITSUBA Settlement Class, and 11 requests for exclusion from the DENSO Settlement Class.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on this 21st day of October, 2019 in Beaverton, Oregon.



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Angie Birdsell  
Project Manager, Client Services | Epiq

# EXHIBIT A

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

|   |   |
|---|---|
| <b>IN RE AUTOMOTIVE PARTS ANTITRUST LITIGATION</b>                | <b>2:12-MD-02311</b><br><b>HONORABLE MARIANNE O. BATTANI</b>  |
| <b>IN RE: WINDSHIELD WIPER SYSTEMS CASES</b>                      |   |
| <b>THIS DOCUMENT RELATES TO:<br/>ALL DIRECT PURCHASER ACTIONS</b> | <b>CASE NO. 2:13-CV-00901-MOB-MKM</b><br><b>CASE NO. 2:13-CV-15125-MOB-MKM</b><br><b>CASE NO. 2:14-CV-10774-MOB-MKM</b> |

**NOTICE**

**NOTICE OF PROPOSED SETTLEMENTS OF DIRECT PURCHASER CLASS ACTION WITH MITSUBA AND DENSO DEFENDANTS, AND HEARING ON:**

- (1) APPROVAL OF PROPOSED SETTLEMENTS;**
- (2) PLAN OF DISTRIBUTION OF THE SETTLEMENT FUND; AND**
- (3) MOTION OF SETTLEMENT CLASS COUNSEL FOR AWARD OF ATTORNEYS' FEES AND REIMBURSEMENT OF LITIGATION COSTS AND EXPENSES, AND AN INCENTIVE PAYMENT TO THE CLASS REPRESENTATIVE.**

TO: ALL INDIVIDUALS AND ENTITIES THAT PURCHASED WINDSHIELD WIPER SYSTEMS IN THE UNITED STATES DIRECTLY FROM DEFENDANTS (OR THEIR SUBSIDIARIES, AFFILIATES, OR JOINT VENTURES) FROM JANUARY 1, 2000 THROUGH AUGUST 14, 2018.

PLEASE READ THIS NOTICE CAREFULLY. YOUR LEGAL RIGHTS MAY BE AFFECTED BY LITIGATION NOW PENDING IN THIS COURT.

**WHAT IS THE PURPOSE OF THIS NOTICE AND WHY WAS IT SENT TO ME?**

This Notice is given pursuant to Rule 23 of the Federal Rules of Civil Procedure and an Order of the United States District Court for the Eastern District of Michigan, Southern Division (the "Court"). The purpose of this Notice is to inform you of a hearing before the Court to consider:

- (1) Proposed settlements with: (a) Defendants MITSUBA Corporation and American Mitsuba Corporation (collectively, the "MITSUBA Defendants"); and (b) Defendants DENSO Corporation, DENSO International America, Inc., DENSO Korea Corporation (f/k/a separately as DENSO International Korea Corporation and DENSO Korea Automotive Corporation), DENSO Automotive Deutschland GmbH, DENSO Products & Services Americas, Inc. (f/k/a DENSO Sales California, Inc.), ASMO Co., Ltd., ASMO North America, LLC, ASMO Greenville of North Carolina, Inc. and ASMO Manufacturing, Inc. (collectively, the "DENSO Defendants") (all Defendants referenced in this paragraph are collectively referred to as the "Settling Defendants");
- (2) A proposed plan of distribution of MITSUBA and DENSO settlement proceeds to Settlement Class members and a proposed Claim Form that you may submit in order to share in the settlement proceeds; and
- (3) Settlement Class Counsel's motion for an award of attorneys' fees and reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative.

This Notice provides information concerning the proposed settlements, the proposed plan of distribution, and the motion for attorneys' fees and reimbursement of litigation costs and expenses, and an incentive payment. The Notice also advises you of your rights to: participate in the settlement claims process; exclude yourself from either or both of the Settlement Classes; and object to the terms of the proposed settlements, the plan of distribution, and the requests for fees, costs and expenses, and an incentive payment to the Class Representative in connection with the Court hearing on these matters.

## BACKGROUND

Plaintiff has reached settlements with the MITSUBA Defendants and the DENSO Defendants totaling \$6,216,176. Under the terms of the proposed settlements, MITSUBA will pay a total of \$6,116,176 (the "MITSUBA Settlement Fund"), and DENSO will pay a total of \$100,000 (the "DENSO Settlement Fund") (the two settlement funds are collectively referred to as the "Windshield Wiper Systems Settlement Fund"). As discussed below, the MITSUBA Settlement Agreement is subject to termination based upon requests for exclusion by Settlement Class members.

This litigation, and the proposed settlements, are part of coordinated legal proceedings involving a number of parts used in motor vehicles. This litigation and the proposed settlements relate solely to Windshield Wiper Systems purchased in the United States **directly** from a Defendant, or depending on the specific settlement agreement, its parents, subsidiaries, affiliates, or joint ventures. The meaning of the term "Windshield Wiper Systems" is defined in each settlement agreement, but generally means the motor, linkage, arm, and blade necessary to clear water or snow from vehicle windows. These proposed settlements do not relate to, and have no effect upon, cases involving any product other than Windshield Wiper Systems.

If you are a member of the MITSUBA or DENSO Settlement Classes (defined below), you have the rights and options summarized here:

- You may remain in either or both of the MITSUBA or DENSO Settlement Classes and be eligible to share in the proceeds of, and be bound by the terms of, any settlement in which you elect to remain;
- You may exclude yourself from either or both of the MITSUBA or DENSO Settlement Classes, in which case you will **not** be bound by any settlement from which you exclude yourself and will **not** be eligible to share in the proceeds of that settlement;
- If you remain in either or both of the MITSUBA or DENSO Settlement Classes, you may object to that proposed settlement, to the proposed plan of distribution of the Windshield Wiper Systems Settlement Fund, or to Settlement Class Counsel's request for an award of attorneys' fees and reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative. You may also appear at the hearing where the Court will consider these matters;
- You may enter an appearance in the litigation through your own counsel at your own expense; and
- Any Settlement Class member who wishes to participate in the distribution of the MITSUBA and DENSO Settlement Funds must complete and submit a copy of the Claim Form **on or before November 26, 2019**.

## WHO IS IN THE SETTLEMENT CLASSES?

The Court has provisionally certified a Direct Purchaser MITSUBA Settlement Class ("MITSUBA Settlement Class") and a Direct Purchaser DENSO Settlement Class (the "DENSO Settlement Class"), for the purpose of disseminating notice of the proposed MITSUBA and DENSO settlements.

The MITSUBA Settlement Class is defined as follows:

All individuals and entities who purchased Windshield Wiper Systems in the United States directly from one or more Defendants (or their subsidiaries, affiliates, or joint-ventures) from January 1, 2000 through August 14, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies, and instrumentalities.

For purposes of the MITSUBA Settlement Class definition set forth above, the following entities are Defendants: Denso Corporation; ASMO Co., Ltd.; MITSUBA Corporation; and American Mitsuba Corporation.

The DENSO Settlement Class is defined as follows:

All individuals and entities who purchased Windshield Wiper Systems in the United States directly from one or more Defendant(s) (or their subsidiaries, affiliates, or joint ventures) from January 1, 2000 through August 14, 2018. Excluded from the Settlement Class are Defendants, their present and former parent companies, subsidiaries and affiliates, federal governmental entities and instrumentalities of the federal government, and states and their subdivisions, agencies, and instrumentalities.

For purposes of the DENSO Settlement Class definition set forth above, the Defendants are: ASMO Co. Ltd.; DENSO Corporation; DENSO International America, Inc.; American Mitsuba Corporation; MITSUBA Corporation; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd. f/k/a Korea Automotive Corporation (KAMCO); Valeo S.A.; and their parents, subsidiaries, and affiliates.

Plaintiff Tiffin Motor Homes, Inc. has been appointed by the Court to serve as “Class Representative” for the MITSUBA and DENSO Settlement Classes. The Court has appointed the law firms of Freed Kanner London & Millen LLC, Kohn, Swift & Graf, P.C., Preti, Flaherty, Beliveau & Pachios LLP, and Spector Roseman & Kodroff, P.C. to serve as “Settlement Class Counsel” for the Settlement Classes.

### **WHAT IS THIS LITIGATION ABOUT?**

In December 2013, Plaintiff filed a class action lawsuit against Defendants on behalf of direct purchasers of “Windshield Wiper Systems.” Plaintiff filed an amended complaint in January 2015. Plaintiff alleges that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Windshield Wiper Systems sold in the United States, in violation of federal antitrust laws. Plaintiff further alleges that as a result of the conspiracy, it and other direct purchasers of Windshield Wiper Systems were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

The Settling Defendants deny Plaintiff’s allegations and liability and have asserted defenses to Plaintiff’s claims. The Settling Defendants have agreed to settle this matter to avoid the expense and burden of further litigation. The Court has not issued any findings or rulings with respect to the merits of Plaintiff’s claims or the Settling Defendants’ defenses. These settlements, if approved by the Court, will fully resolve Plaintiff’s claims in this litigation.

### **WHAT RELIEF DO THE PROPOSED SETTLEMENTS PROVIDE?**

Plaintiff, on behalf of the MITSUBA Settlement Class, entered into a settlement agreement with the MITSUBA Defendants on August 14, 2018 (the “MITSUBA Settlement Agreement”), in which the MITSUBA Defendants have agreed to pay \$6,116,176. The MITSUBA Settlement Agreement gives MITSUBA and Plaintiff the right to withdraw from the settlement based upon valid and timely requests for exclusion by MITSUBA Settlement Class members.

Plaintiff, on behalf of the DENSO Settlement Class, entered into a settlement agreement with the DENSO Defendants on February 4, 2019 (the “DENSO Settlement Agreement”), in which the DENSO Defendants have agreed to pay \$100,000.

As part of the settlement agreements described above, the MITSUBA and DENSO Defendants have each agreed to cooperate with Settlement Class Counsel in the prosecution of claims against any other Defendant, should the need for such cooperation arise.

This Notice is only a summary of the terms of the proposed settlements. The MITSUBA and DENSO Settlement Agreements contain other important provisions, including the release of certain claims against the MITSUBA and DENSO Defendants (and companies and people affiliated with them). For the complete terms of the settlements, you are referred to the settlement agreements, which are on file with the Clerk of Court and are available online at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). The proposed settlements must receive final approval by the Court to become effective.

If you wish to object to the approval of either of the settlements, you may do so, but only in accordance with the procedures set forth below. If you do not object to a settlement, you do not need to take any action at this time to indicate your support for, or lack of objection to, that settlement.



## HOW DO I REMAIN IN THE SETTLEMENT CLASSES AND WHAT HAPPENS IF I DO?

If you are a member of either of the MITSUBA or DENSO Settlement Classes as defined above, you will automatically remain in that Settlement Class unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time with respect to that Settlement Class, and your interests will be represented by the Class Representative and by Settlement Class Counsel. If you remain in either of the MITSUBA or DENSO Settlement Classes and the proposed settlement with that Defendant is approved and becomes effective, you will be bound by its terms, including the release provisions, whether or not you receive a share of the settlement proceeds attributable to that settlement.

You will have no responsibility to individually pay attorneys' fees or expenses. Any such fees and expenses will be paid solely from amounts obtained from the Defendants, whether by settlement or judgment, and must be approved by the Court after notice to you and a hearing. If you choose, you may also have your own attorney enter an appearance on your behalf and at your expense.

## HOW WILL THE SETTLEMENT FUNDS BE DISTRIBUTED?

The Windshield Wiper Systems Settlement Fund, with accrued interest, less any amounts approved by the Court for payment of attorneys' fees, litigation and settlement administration costs and expenses, and an incentive payment to the Class Representative (the "Net Windshield Wiper Systems Settlement Fund"), will be distributed among the members of the Settlement Classes who complete and timely submit a copy of the Claim Form that is included with this Notice. Any Claim Form submitted electronically must be submitted **on or before November 26, 2019**. Any Claim Form submitted via mail must be **postmarked on or before November 26, 2019**.

The Net Windshield Wiper Systems Settlement Fund will be distributed *pro rata* to all Claimants based upon their **direct** purchases of Windshield Wiper Systems in the United States from Defendants during the applicable Class Period. The distribution will take place as soon as practicable after review, determination, and audit of the Claim Forms by the Settlement Administrator and approval by the Court of the Settlement Administrator's recommendations as to the amounts to be paid to the Claimants.

**Do not dispose of any document that reflects your purchases of Windshield Wiper Systems in the United States directly from any Defendant (or its parents, affiliates, subsidiaries, or joint ventures) during the period from January 1, 2000 through August 14, 2018. You may need those documents to complete and substantiate your Claim Form, which will be subject to inquiry and verification.**

## WHAT IF I DO NOT WANT TO REMAIN IN ONE OR MORE OF THE SETTLEMENT CLASSES?

You may exclude yourself from either or both of the Settlement Classes. If you wish to exclude yourself from either or both of the Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, **postmarked no later than September 27, 2019**, to Settlement Class Counsel, and to counsel for Settling Defendants, at the addresses set forth below, and to the following address:

Windshield Wiper Systems Direct Purchaser Antitrust Litigation  
P.O. Box 2838  
Portland, OR 97208-2838

Your request for exclusion must identify the Settlement Class or Classes from which you are seeking exclusion and must include the full name and address of the purchaser (including any predecessor or successor entities and any trade names). You are also requested to identify the Defendant(s) (or parent, affiliate, subsidiary, or joint venture) from which you purchased Windshield Wiper Systems during the Class Period for the Settlement Class from which you seek exclusion, the Windshield Wiper Systems purchased during the Class Period, and the dollar amount of your purchases. If you validly exclude yourself from either or both of the Settlement Classes, you will not be bound by any decision concerning the Settlement Class or Classes from which you exclude yourself and you may pursue individually any claims you may have against that Defendant (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

**REQUEST FOR ATTORNEYS' FEES AND EXPENSES, AND INCENTIVE PAYMENTS**

The Court has appointed the law firms identified above as Settlement Class Counsel. These law firms, together with other firms that have worked on this litigation, will file a petition for an award of attorneys' fees and reimbursement of their costs and expenses in prosecuting the case. The request of Settlement Class Counsel for attorneys' fees will not exceed 30 percent (30%) of the Windshield Wiper Systems Settlement Fund.

Settlement Class Counsel will also request an incentive payment to Plaintiff Tiffin Motor Homes, Inc., which was appointed by the Court to serve as Class Representative for the Settlement Classes, in the total amount of \$25,000.

The application for attorneys' fees and litigation costs and expenses and an incentive payment will be filed on or before September 6, 2019. After that date, the petition for attorneys' fees will be available for your review on the settlement website at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). If you remain a member of either of the Settlement Classes and you wish to object to the requests for fees and expenses or an incentive payment, you must do so in writing in accordance with the procedures for objections set forth below. If you do not oppose any of these requests, you do not need to take any action in that regard.

**WHEN WILL THE COURT CONSIDER THESE MATTERS AND HOW CAN I TELL THE COURT WHAT I THINK ABOUT THE SETTLEMENTS?**

The Court will hold a hearing on November 5, 2019, at 2:00 p.m., at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 250 (or such other courtroom as may be assigned for the hearing), to determine whether to approve: the proposed MITSUBA and DENSO settlements; the proposed plan of distribution of the Windshield Wiper Systems Settlement Fund; and Settlement Class Counsel's requests for an award of attorneys' fees and reimbursement of litigation costs and expenses and an incentive payment. The hearing may be rescheduled, continued or adjourned, and the courtroom assigned for the hearing may be changed, without further notice to you.

If you remain a member of either of the MITSUBA or DENSO Settlement Classes and you wish to object to that proposed settlement, or to the proposed plan of distribution of the Windshield Wiper Systems Settlement Fund, or to Settlement Class Counsel's requests for an award of attorneys' fees and reimbursement of litigation costs and expenses and an incentive payment, you must do so in writing and at your own expense. Any such objection must include the caption of this litigation, must be signed, and must be **filed no later than September 27, 2019**, with the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, and mailed to the following counsel, **postmarked no later than September 27, 2019**:

Steven A. Kanner  
FREED KANNER LONDON  
& MILLEN LLC  
2201 Waukegan Road, Suite 130  
Bannockburn, IL 60015  
Telephone: (224) 632-4500

Joseph C. Kohn  
KOHNS, SWIFT & GRAF, P.C.  
1600 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 238-1700

Gregory P. Hansel  
PRETI, FLAHERTY, BELIVEAU  
& PACHIOS LLP  
One City Center, P.O. Box 9546  
Portland, ME 04112-9546  
Telephone: (207) 791-3000

Eugene A. Spector  
SPECTOR ROSEMAN & KODROFF, P.C.  
Two Commerce Square  
2001 Market Street, Suite 3420  
Philadelphia, PA 19103  
Telephone: (215) 496-0300

*Co-Lead Counsel for the Direct Purchaser Settlement Classes*

Rachel S. Brass  
GIBSON, DUNN & CRUTCHER LLP  
555 Mission Street, Suite 3000  
San Francisco, CA 94105  
Telephone: (415) 393-8200

*Counsel for the MITSUBA Defendants*

Steven F. Cherry  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
1875 Pennsylvania Avenue, NW  
Washington, DC 20006  
Telephone: (202) 663-6000

*Counsel for the DENSO Defendants*

If you do not object to either of the proposed settlements, or to the related matters set forth above, you do not need to appear at the hearing or take any other action at this time. **You must, however, complete and timely submit a Claim Form if you wish to share in the distribution of the Windshield Wiper Systems Settlement Fund.**

**WHAT SHOULD I DO IF I WANT ADDITIONAL INFORMATION OR IF MY ADDRESS CHANGES?**

If this Notice reached you at an address other than the one on the mailing label, or if your address changes, please send your correct address to: Windshield Wiper Systems Direct Purchaser Antitrust Litigation, P.O. Box 2838, Portland, OR 97208-2838.

The Settlement Agreements, Complaints, and other public documents filed in this litigation are available for review during normal business hours at the offices of the Clerk of Court, United States District Court for the Eastern District of Michigan, Southern Division, Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, and through the Court's Public Access to Court Electronic Records (PACER) system after registration and payment of a modest fee. Copies of the Settlement Agreements and certain other documents relevant to this litigation are available at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). Questions concerning the proposed MITSUBA and DENSO settlements, this Notice, or the litigation may be directed to any of the Settlement Class Counsel identified above.

**Please do not contact the Clerk of the Court or the Judge.**

Dated: AUGUST 8, 2019

BY ORDER OF:

The United States District Court for the Eastern  
District of Michigan, Southern Division

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE AUTOMOTIVE PARTS ANTITRUST  
LITIGATION

2:12-md-02311

Honorable Marianne O. Battani

IN RE: WINDSHIELD WIPER SYSTEMS CASES

THIS DOCUMENT RELATES TO:  
ALL DIRECT PURCHASER ACTIONS

Case No. 2:13-cv-00901-MOB-MKM  
Case No. 2:13-cv-15125-MOB-MKM  
Case No. 2:14-cv-10774-MOB-MKM

IMPORTANT NOTICE TO PURCHASERS OF WINDSHIELD WIPER SYSTEMS  
PLEASE READ THIS ENTIRE DOCUMENT CAREFULLY

YOU MUST COMPLETE AND SUBMIT A CLAIM FORM, POSTMARKED ON OR BEFORE  
NOVEMBER 26, 2019, TO BE ELIGIBLE TO SHARE IN THE DISTRIBUTION OF THE PROCEEDS OF  
SETTLEMENTS WITH THE MITSUBA AND DENSO DEFENDANTS

**INSTRUCTIONS FOR COMPLETING A CLAIM FORM**

If you are a **direct** purchaser of Windshield Wiper Systems (and you have remained in either or both of the MITSUBA and DENSO Settlement Classes), you may be entitled to share in the distribution of the proceeds of settlements with those Defendants (the “Windshield Wiper Systems Settlement Fund”). To receive your share of the Windshield Wiper Systems Settlement Fund, you or a person you have authorized to act on your behalf must submit a timely and valid Claim Form in accordance with the instructions set forth herein.

Please note that if you have chosen to be excluded from the MITSUBA or DENSO Settlement Classes, you may not participate in the distribution of the settlement funds attributable to the settlement with that Defendant.

**Eligibility:** You are eligible to submit a claim seeking to share in the distribution of the Settlement Fund if, during the period from January 1, 2000 through August 14, 2018 (the “Class Period”), you purchased Windshield Wiper Systems in the United States **directly** from one or more of the following companies (including their parents for the DENSO Settlement Class), subsidiaries, affiliates, and joint ventures (for DENSO and MITSUBA Settlement Classes): (1) ASMO Co. Ltd.; (2) DENSO Corporation; (3) DENSO International America, Inc.; (4) American Mitsuba Corporation; (5) MITSUBA Corporation; (6) Robert Bosch GmbH; (7) Bosch Electrical Drives Co., Ltd. f/k/a Korea Automotive Corporation (KAMCO); and (8) Valeo S.A.

The meaning of the term “Windshield Wiper Systems” is defined in each settlement agreement, but generally includes the motor, linkage, arm, and blade necessary to clear snow or water from vehicle windows.

**Submission of Claim:** If you are submitting a paper Claim Form, the Claim Form must be signed and verified by the claimant or a person authorized to act on behalf of the claimant, and must be **postmarked no later than November 26, 2019**. Paper Claim Forms should be addressed to:

Windshield Wiper Systems Direct Purchaser Antitrust Litigation  
PO Box 2838  
Portland, OR 97208-2838

Claim Forms may also be submitted electronically via the settlement website, [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). If you submit an electronic Claim Form, you will be given a submission confirmation number and the ability to provide a digital version of the Schedule of Purchases. Electronic Claim Forms must be **submitted no later than November 26, 2019**.

Do **not** send your Claim Form to the Court or to any of the parties or their counsel. If you receive multiple copies of the Claim Form, complete only one Claim Form covering all of your qualifying purchases. Do not submit more than one claim, and do not submit duplicate claims.

A Claim Form received by the Settlement Administrator shall be deemed to have been submitted (1) when it is submitted online, or (2) when it is posted, if it is addressed in accordance with the above instructions and mailed by **November 26, 2019**, and a postmark is indicated on the envelope. In all other cases, the Claim Form shall be deemed to have been submitted when it is actually received by the Settlement Administrator.

Please note that it will take a significant amount of time to process all of the Claim Forms and to administer the Settlement Fund. This work will be completed as promptly as time permits, given the need to review each Claim Form. Accurate claims processing takes a significant amount of time. Thank you for your patience.

**REMINDER: YOU MAY SUBMIT YOUR CLAIM ELECTRONICALLY AT  
WWW.AUTOPARTSANTITRUSTLITIGATION.COM/WINDSHIELDWIPERSYSTEMS**

**Photocopies of Form:** A claim may be submitted on a photocopy of the Claim Form. Other forms, or altered versions of the Claim Form, will not be accepted. Additional copies of the Claim Form may be requested from the Settlement Administrator or obtained at the settlement website [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems).

**Completion and Support of Claim:** Please type or neatly print all requested information. Failure to complete all parts of the Claim Form may result in denial of the claim, delay its processing, or otherwise adversely affect the claim. All information submitted in a Claim Form is subject to further inquiry and verification. The Settlement Administrator may ask you to provide supporting information. Failure to provide requested information also might delay, adversely affect, or result in denial of the claim.

The Claim Form asks for certain information relating to your purchases of Windshield Wiper Systems, a description of available documentation that supports your claimed purchases, and summary totals of your purchases from each Defendant and for each year during the class period.

**ONLY INCLUDE IN YOUR CLAIM FORM PURCHASES OF WINDSHIELD WIPER SYSTEMS IN THE UNITED STATES DIRECTLY FROM ONE OR MORE OF THE COMPANIES LISTED ABOVE UNDER THE "ELIGIBILITY" HEADING DURING THE PERIOD FROM JANUARY 1, 2000 TO AUGUST 14, 2018.**

**INDIRECT PURCHASES ARE NOT ELIGIBLE.**

**Schedule of Purchases: General Worksheet:** Please fill out the Schedule of Purchases: General Worksheet with the company names, the quantity of products purchased, and purchase totals for each year of the Class Period (January 1, 2000 through August 14, 2018) in which you directly purchased Windshield Wiper Systems in the United States. If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Wipers.com](mailto:info@AutoPartsAntitrustLitigation-Wipers.com), or by calling 1-877-670-0952.

**Claims of Separate Entities:** Each corporation, trust, or other business entity making a claim must submit its claim on a separate Claim Form.

**Taxpayer Identification Number:** A Claim Form is not complete without the federal taxpayer identification number of the claimant.

**Keep a copy:** You should keep a copy of your completed Claim Form for your records. You should also retain all of your documents and records relating to **direct** purchases of Windshield Wiper Systems in the United States from any of the listed companies during the period from January 1, 2000 through August 14, 2018. As part of the claims administration process, you may be required to verify certain information about your Windshield Wiper Systems purchases such as the quantity of product(s) purchased, the type of products purchased, the dollar amount(s), the date(s) of the purchases, and the company(ies) from which you **directly** purchased the Windshield Wiper Systems. You may be asked to submit purchase records to verify your claim.

**Confirmation of Receipt of Claim:** The receipt of paper Claim Forms will **not** be confirmed or acknowledged automatically by the Settlement Administrator. If you wish to have confirmation that your Claim Form has been received, send it by certified mail, return receipt requested. If you submit an electronic Claim Form through the settlement website you will receive a confirmation code.

**Assistance:** If you have any questions concerning this Claim Form or need additional copies, contact the Settlement Administrator at: Windshield Wiper Systems Direct Purchaser Antitrust Litigation, PO Box 2838, Portland, OR 97208-2838, via email at [info@AutoPartsAntitrustLitigation-Wipers.com](mailto:info@AutoPartsAntitrustLitigation-Wipers.com), or by calling 1-877-670-0952. You may also contact your own attorney or other person to assist you, at your own expense.

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**NOTICE REGARDING SOLICITATIONS FROM CLAIMS ASSISTANCE COMPANIES: THERE ARE COMPANIES THAT CONTACT CLASS MEMBERS TO OFFER ASSISTANCE IN FILING A CLAIM IN EXCHANGE FOR A PORTION OF ANY SETTLEMENT FUNDS THE CLASS MEMBER MAY RECOVER. THESE COMPANIES ARE NOT AFFILIATED WITH PLAINTIFF OR DEFENDANTS OR THEIR COUNSEL, AND YOU DO NOT NEED TO USE THEM TO FILE A CLAIM.**









Here, provide a brief description of the documents (e.g., invoices, purchase journals, accounts payable journals, etc.) or estimation methods used to calculate your claimed purchases:

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**FAILURE TO COMPLY WITH THE ABOVE INSTRUCTIONS REGARDING PURCHASES MAY RESULT IN A DELAY PROCESSING YOUR CLAIM.**

**V. EXCLUSION FROM SETTLEMENT CLASS**

Identify the Settlement Class(es), if any, from which you excluded yourself. If you have not excluded yourself from any of the Settlement Classes, mark "None" and proceed to Section VI:

- MITSUBA
- DENSO
- None

**Please note, this does not constitute a formal request for exclusion. In order to formally request exclusion, if you have not already done so, please refer to the instructions provided in the Notice of Proposed Settlements with MITSUBA and DENSO Defendants.**



**SCHEDULE OF PURCHASES: GENERAL WORKSHEET**

Please fill out the charts on both sides (front and back) of the Schedule of Purchases: General Worksheet, listing the quantity of products purchased and purchase totals for each Defendant (including their parents, subsidiaries, affiliates, and joint ventures) and year of the Class Period (January 1, 2000 through August 14, 2018) in which you directly purchased Windshield Wiper Systems in the United States. A full version of this claim and worksheet is available for electronic submissions through the settlement website [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Wipers.com](mailto:info@AutoPartsAntitrustLitigation-Wipers.com), or by calling 1-877-670-0952.

| Year Purchased | DENSO Defendants <sup>1</sup>       |                  | MITSUBA Defendants <sup>2</sup>     |                  |
|----------------|-------------------------------------|------------------|-------------------------------------|------------------|
|                | Est. Quantity of Products Purchased | Amount Purchased | Est. Quantity of Products Purchased | Amount Purchased |
| 2000           |                                     | (\$)             |                                     | (\$)             |
| 2001           |                                     | (\$)             |                                     | (\$)             |
| 2002           |                                     | (\$)             |                                     | (\$)             |
| 2003           |                                     | (\$)             |                                     | (\$)             |
| 2004           |                                     | (\$)             |                                     | (\$)             |
| 2005           |                                     | (\$)             |                                     | (\$)             |
| 2006           |                                     | (\$)             |                                     | (\$)             |
| 2007           |                                     | (\$)             |                                     | (\$)             |

List the quantity of products purchased and dollar amount of **direct purchases** of Windshield Wiper Systems from each of the Defendants for each year during the class period. The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery, and freight charges. **INDIRECT PURCHASES ARE NOT ELIGIBLE.**

<sup>1</sup> ASMO Co. Ltd., DENSO Corporation and DENSO International America, Inc. In addition, DENSO International America, Inc.'s subsidiaries include, among others, DENSO Products & Services Americas, Inc. (f/k/a DENSO Sales California, Inc.).

<sup>2</sup> MITSUBA Corporation and American Mitsuba Corporation.

| Year Purchased<br>(cont.)                            | DENSO Defendants                    |                  | MITSUBA Defendants                  |                  |
|--|-------------------------------------|------------------|-------------------------------------|------------------|
|  | Est. Quantity of Products Purchased | Amount Purchased | Est. Quantity of Products Purchased | Amount Purchased |
| 2008   |                                     | (\$)             |                                     | (\$)             |
| 2009   |                                     | (\$)             |                                     | (\$)             |
| 2010   |                                     | (\$)             |                                     | (\$)             |
| 2011   |                                     | (\$)             |                                     | (\$)             |
| 2012   |                                     | (\$)             |                                     | (\$)             |
| 2013   |                                     | (\$)             |                                     | (\$)             |
| 2014   |                                     | (\$)             |                                     | (\$)             |
| 2015   |                                     | (\$)             |                                     | (\$)             |
| 2016   |                                     | (\$)             |                                     | (\$)             |
| 2017   |                                     | (\$)             |                                     | (\$)             |
| 1/1/2018<br>through<br>8/14/2018                     |                                     | (\$)             |                                     | (\$)             |
| <b>TOTAL<br/>AMOUNT<br/>PURCHASED<br/>(Required)</b> |                                     | (\$)             |                                     | (\$)             |

**SCHEDULE OF PURCHASES: GENERAL WORKSHEET**

Please fill out the charts on both sides (front and back) of the Schedule of Purchases: General Worksheet, listing the quantity of products purchased and purchase totals for each Defendant (including their parents, subsidiaries, affiliates, and joint ventures) and year of the Class Period (January 1, 2000 through August 14, 2018) in which you directly purchased Windshield Wiper Systems in the United States. A full version of this claim and worksheet is available for electronic submissions through the settlement website [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems). If you have questions regarding the completion of the Schedule of Purchases, please contact the Settlement Administrator via email at [info@AutoPartsAntitrustLitigation-Wipers.com](mailto:info@AutoPartsAntitrustLitigation-Wipers.com), or by calling 1-877-670-0952.

| Year Purchased | Robert Bosch Defendants <sup>3</sup> |                  | Valeo S.A.                          |                  |
|----------------|--------------------------------------|------------------|-------------------------------------|------------------|
|                | Est. Quantity of Products Purchased  | Amount Purchased | Est. Quantity of Products Purchased | Amount Purchased |
| 2000           |                                      | (\$)             |                                     | (\$)             |
| 2001           |                                      | (\$)             |                                     | (\$)             |
| 2002           |                                      | (\$)             |                                     | (\$)             |
| 2003           |                                      | (\$)             |                                     | (\$)             |
| 2004           |                                      | (\$)             |                                     | (\$)             |
| 2005           |                                      | (\$)             |                                     | (\$)             |
| 2006           |                                      | (\$)             |                                     | (\$)             |
| 2007           |                                      | (\$)             |                                     | (\$)             |

List the quantity of products purchased and dollar amount of direct purchases of Windshield Wiper Systems from each of the Defendants for each year during the class period. The purchase amounts must be the net amounts paid after deducting any discounts, rebates, taxes, delivery, and freight charges. **INDIRECT PURCHASES ARE NOT ELIGIBLE.**

<sup>3</sup> Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd. f/k/a Korea Automotive Corporation (KAMCO).

| Year Purchased<br>(cont.)                            | Robert Bosch Defendants             |                  | Valeo S.A.                          |                  |
|--|-------------------------------------|------------------|-------------------------------------|------------------|
|  | Est. Quantity of Products Purchased | Amount Purchased | Est. Quantity of Products Purchased | Amount Purchased |
| 2008   |                                     | (\$)             |                                     | (\$)             |
| 2009   |                                     | (\$)             |                                     | (\$)             |
| 2010   |                                     | (\$)             |                                     | (\$)             |
| 2011   |                                     | (\$)             |                                     | (\$)             |
| 2012   |                                     | (\$)             |                                     | (\$)             |
| 2013   |                                     | (\$)             |                                     | (\$)             |
| 2014   |                                     | (\$)             |                                     | (\$)             |
| 2015   |                                     | (\$)             |                                     | (\$)             |
| 2016   |                                     | (\$)             |                                     | (\$)             |
| 2017   |                                     | (\$)             |                                     | (\$)             |
| 1/1/2018<br>through<br>8/14/2018                     |                                     | (\$)             |                                     | (\$)             |
| <b>TOTAL<br/>AMOUNT<br/>PURCHASED<br/>(Required)</b> |                                     | (\$)             |                                     | (\$)             |

# EXHIBIT B



## CONFIRMATION OF PUBLICATION

IN THE MATTER OF: *Auto Parts – Wipers*

I, Kathleen Komraus, hereby certify that

(a) I am the Media & Design Manager at Epiq Class Action & Claims Solutions, a noticing administrator, and:

(b) The Notice of which the annexed is a copy was published in the following publications on the following date:

*8.12.19 – Automotive News*  
*8.12.19 – PR Newswire's Auto Wire*

(c) Banner advertisements are appearing on the following digital properties on the following dates:

*8.12.19 – 9.1.19 – Automotive News (AutoNews.com)*

x Kathleen Komraus  
(Signature)

Media & Design Manager  
(Title)

## DEALERS



## Dealer anniversary awards

## Submissions

We invite news items and top-quality photographs. Photos for 25-45 years should have only two people posed shoulder to shoulder. Photos for 50 or more years should have no more than six people. Please tell us names (left to right), titles, dealership name and city, franchise(s) held and franchise for which award is given. You may email a photo in jpg format and at high resolution (300 dpi) to autonews@crain.com.

## Custom framing

To request a custom framing of your milestone announcement, contact Lauren Melesio at 212-210-0707 or lmelesio@crain.com.

## 65 with Volkswagen

**Elisabeth Boyd**, owner of H.A. Boyd, a Volkswagen dealership in Lebanon, Pa., receives a 65-year award from representatives of Volkswagen of America. From left, Tom Andreuzzi, senior manager, network development; Patrick Coyle, vice president, sales operations; and Igor Skinder, sales operations manager.

## 50 with Toyota

**Jack Thompson**, third from left, president of Thompson Toyota in Doylestown, Pa., receives a 50-year award from Damon Rose, second from left, Central Atlantic Toyota general manager. Also pictured are **Laura Thompson Barnes** and **John Thompson**, both vice presidents of Thompson Toyota.

## LEGAL NOTICE

**IF YOU PURCHASED WINDSHIELD WIPER SYSTEMS IN THE UNITED STATES DIRECTLY FROM ANY OF THE ENTITIES IDENTIFIED BELOW FROM JANUARY 1, 2000 THROUGH AUGUST 14, 2018, YOUR LEGAL RIGHTS MAY BE AFFECTED BY PROPOSED SETTLEMENTS WITH THE MITSUBA AND DENSO DEFENDANTS**

Proposed settlements totaling \$6,216,176 have been reached in *In re Automotive Parts Antitrust Litigation*, Master File No. 12-md-02311, 2:13-cv-0901, 2:13-cv-15125, 2:14-cv-10774 (E.D. Mich.), with the MITSUBA and DENSO Defendants (collectively, the "Settling Defendants").

**What is the lawsuit about?** This class action is part of coordinated legal proceedings involving Windshield Wiper Systems purchased in the United States directly from a Defendant (as defined below). These proceedings do not relate to, and have no effect upon, cases involving any other product.

The term "Windshield Wiper Systems" is defined in each of the settlement agreements, but generally means the motor, linkage, arm and blade necessary to clear water or snow from vehicle windows.

Direct Purchaser Plaintiff ("Plaintiff") alleges that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of Windshield Wiper Systems sold in the United States, in violation of federal antitrust laws. Plaintiff further alleges that as a result of the conspiracy, it and other direct purchasers of Windshield Wiper Systems were injured by paying more than they would have paid in the absence of the alleged illegal conduct.

Plaintiff has reached settlements with the MITSUBA Defendants and the DENSO Defendants totaling \$6,216,176. Under the terms of the proposed settlements, MITSUBA will pay a total of \$6,116,176 and DENSO will pay a total of \$100,000 (the two settlement funds are collectively referred to as the "Windshield Wiper Systems Settlement Fund"), and each of the Settling Defendants has agreed to cooperate with Settlement Class Counsel in the prosecution of claims against any other Defendant, should the need for such cooperation arise. These settlements, if approved by the Court, will fully resolve Plaintiff's claims in this litigation.

**Who is included?** The Court has preliminarily approved and has provisionally certified the MITSUBA and DENSO Settlement Classes. You are a member of one or both of these Settlement Classes if you purchased Windshield Wiper Systems in the United States directly from any of the following entities (or depending on the specific settlement agreement, their parents, subsidiaries, affiliates or joint ventures, each a "Defendant") during the period from January 1, 2000 through August 14, 2018: ASMO Co. Ltd.; DENSO Corporation; DENSO International America, Inc.; American Mitsuba Corp.; MITSUBA Corp.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd. f/k/a Korea Automotive Corporation (KAMCO); and Valeo S.A.

A Notice of Proposed Settlements and Claim Form (the "Notice") was mailed to potential MITSUBA and DENSO Settlement Class members on or about August 8, 2019. The Notice describes the litigation and options available to Settlement Class members with respect to the MITSUBA and DENSO settlements in more detail. If you did not receive the Notice you may obtain a copy on the internet at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems) or by calling or writing to any of the following Settlement Class Counsel:

Gregory P. Hansel  
PRETI, FLAHERTY, BELIVEAU & PACHIOS LLP  
One City Center, P.O. Box 9546  
Portland, ME 04112-9546  
Telephone: (207) 791-3000

Joseph C. Kohn  
KOHN, SWIFT & GRAF, P.C.  
1600 Market Street, Suite 2500  
Philadelphia, PA 19103  
Telephone: (215) 238-1700

Steven A. Kanner  
FREED KANNER LONDON & MILLEN LLC  
2201 Waukegan Road, Suite 130  
Bannockburn, IL 60015  
Telephone: (224) 632-4500

Eugene A. Spector  
SPECTOR ROSEMAN & KODROFF, P.C.  
Two Commerce Square  
2001 Market Street, Suite 3420  
Philadelphia, PA 19103  
Telephone: (215) 496-0300

**What do the settlements provide?** MITSUBA and DENSO have agreed to pay a total of \$6,216,176 to settle the Class Members' claims against them. As part of the settlements each of the Settling Defendants has agreed to cooperate with Settlement Class Counsel in the prosecution of claims against any other Defendant, should the need for such cooperation arise.

**Your rights may be affected.** If you are a member of either of the MITSUBA or DENSO Settlement Classes you will automatically remain in that Settlement Class unless you elect to be excluded. If you wish to remain in a Settlement Class, you do not need to take any action at this time and your interests will be represented by the Class Representative and by Settlement Class Counsel. In order to share in the proceeds of either of the MITSUBA or DENSO settlements, however, you must complete and timely submit a copy of the Claim Form that was mailed to potential Settlement Class members along with the Notice. Any Claim Form submitted electronically must be submitted on or before November 26, 2019. Any Claim Form submitted via mail must be postmarked on or before November 26, 2019.

If you wish to exclude yourself from either or both of the MITSUBA or DENSO Settlement Classes, you must send a request for exclusion, in writing, by certified mail, return receipt requested, postmarked no later than September 27, 2019, in accordance with the procedures set forth in the Notice. If you validly exclude yourself from either or both of the MITSUBA or DENSO Settlement Classes, you will not be bound by any decision concerning that settlement class and you can pursue individually any claims you may have against that Defendant (at your own expense), but you will not be eligible to share in the settlement proceeds attributable to that Defendant.

If you remain a member of the MITSUBA or DENSO Settlement Classes, you have the right to object to that proposed settlement, or to the proposed plan of distribution of the Windshield Wiper Systems Settlement Fund, or to Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses, and an incentive payment to the Class Representative, by following the procedures set forth in the Notice. Your objection must be filed no later than September 27, 2019.

The Court has scheduled a hearing on November 5, 2019, to consider whether to approve: the proposed settlements; the proposed plan of distribution of settlement funds; and Settlement Class Counsel's requests for an award of attorneys' fees and litigation costs and expenses, and an incentive payment to the Class Representative. The hearing may be continued without further notice to you.

If you believe you are a member of either or both of the MITSUBA or DENSO Settlement Classes, you are urged to obtain a copy of the Notice, which explains your rights regarding the settlements and related matters.

If you have questions concerning this litigation, you may contact any of the Settlement Class Counsel identified above. Do not contact the Clerk of the Court or the Judge.

Dated: August 12, 2019

BY ORDER OF:

The United States District Court for the Eastern District of Michigan, Southern Division

## Technology is taking Gentex beyond mirrors

**Z**EELAND, Mich. — Gentex Corp., the Zeeland manufacturer of high-tech rear-view mirrors and cameras, is at the forefront of the push to develop technology for connected and self-driving vehicles.

Gentex owns the HomeLink business that enables vehicles to control lights, garage doors and other systems in homes.

CEO Steve Downing, who started with the company in 2002 and replaced founder Fred Bauer in 2017 after earning five promotions in just seven years, spoke with Staff Reporter Richard Truett at the supplier's headquarters here. Here are edited excerpts.



**&  
STEVE  
DOWNING**

### Q: How will vehicles of the future change the way Gentex engineers and manufactures glass and mirrors?

**A:** The entire industry is focused on how to make the car drive itself. But not many people are thinking about what happens once that occurs. We are a sensor company more than anything. How we detect changes in lighting and determine dimming curves is all about the sensors that we have created software around.

A little-known part of our company is that we have a \$20 million to \$30 million book of business that is about smoke and fire detection in buildings.

Where these worlds start to come together is the ability to understand what's going on in the cabin of a vehicle. Its use is going to change drastically between a one-owner vehicle and the fifth user of the day of that vehicle.

How do we leverage our sensing capability and combine that with what we do in the home and office space in a vehicle application? There is going to be a tremendous need for different types of information.

### Gentex dominates the market for mirrors. But it also makes cameras, such as those used in the company's Full Display Mirror. Should we think of Gentex as more of a technology company?

Our materials background is imperative to understanding who we are. We struggle to categorize ourselves because we are an electronics compa-

ny, because we have to do the software in order to do the finished goods.

But we're more of a materials science company than anything else. The changes that are happening in the industry are more conducive to a materials company than anything we've seen.

### What are some future technologies Gentex engineers and materials scientists are working on?

We have concepts involving our camera systems and driver identification and biometrics, how you personalize an application, secure that data and the vehicle, and how you control payment at tolls. We would argue that some of these things are farther out than many people think. But that's our opportunity to engineer solutions for when the need is finally ready, to make sure we are there with the products.

### Gentex is working on a technology that could put an entire industry out of business: window tinting. Tell us about it.

It's the ability to dim glass in any format — roofs, side windows, you name it. It's the ability to control the complete lighting of the cockpit of a vehicle. I think that once self-driving cars arrive, you are going to want to control the atmosphere for privacy or comfort. For electric cars, the more you can cut down on sun-loading, the more uptime you have.

We have engaged with companies working on robocars. Their philosophy is to think about this more like an aerospace model. Don't worry about the cost of the hardware — it's all about uptime.

### What electronics products does Gentex have in the pipeline?

Our sensing capability is beyond just cameras. A lot of it is active sensors and fire protection. Some of it is light and light emitting.

We've made some investment rounds of financing in technologies that we believe, longer term, are going to have long-term potential in detecting certain chemicals in the automotive environment. **AN**

# \$6,216,176 in Direct Purchaser Settlements Reached with Windshield Wiper Systems Manufacturers in Price Fixing Class Action Lawsuit

NEWS PROVIDED BY

**United States District Court for the Eastern District of Michigan Southern Division →**

Aug 12, 2019, 08:00 ET

DETROIT, Aug. 12, 2019 /PRNewswire/ -- Freed Kanner London & Millen LLC; Kohn, Swift & Graf, P.C.; Preti, Flaherty, Beliveau & Pachios LLP and Spector Roseman & Kodroff, P.C. ("Settlement Class Counsel") announce that the United States District Court for the Eastern District of Michigan Southern Division ("Court") has approved the following announcement of proposed class action settlements with the MITSUBA Defendants and DENSO Defendants. The lawsuit claims that Defendants conspired to raise, fix, maintain, and stabilize prices, rig bids, and allocate the supply of windshield wiper systems sold in the United States, in violation of federal antitrust laws.

The settlements affect those who purchased windshield wiper systems in the United States between January 1, 2000 and August 14, 2018 directly from any of the following entities (or depending on the specific settlement agreement, their parents, subsidiaries, affiliates and joint ventures): ASMO Co. Ltd.; DENSO Corporation; DENSO International America, Inc.; American Mitsuba Corp.; MITSUBA Corp.; Robert Bosch GmbH; Bosch Electrical Drives Co., Ltd. f/k/a Korea Automotive Corporation (KAMCO); and Valeo S.A.

A hearing will be held on November 5, 2019, at 2:00 p.m., before the Honorable Marianne O. Battani, United States District Judge, at the Theodore Levin United States Courthouse, 231 West Lafayette Boulevard, Detroit, MI 48226, Courtroom 250, for the purpose of determining: (1) whether the proposed settlements with the MITSUBA and DENSO Defendants totaling \$6,216,176 should be approved by the Court as fair, reasonable and adequate; (2) whether the Court should approve the proposed plan of distribution of MITSUBA and DENSO settlement proceeds to members of the settlement classes; and (3) whether the Court should approve Settlement Class Counsel's request for an award of attorneys' fees, reimbursement of litigation costs and expenses, and an incentive payment to the Class Representative.

A Notice of Proposed Settlements and Claim Form (the "Notice") was mailed to potential Settlement Class members on or about August 8, 2019. The Notice describes the litigation and options available to Settlement Class members with respect to the MITSUBA and DENSO settlements in more detail. The Notice also explains what steps a Class Member must take to (1) remain in the settlement classes and file a Claim Form to share in the settlement proceeds, (2) object to the settlements, or (3) request exclusion from the settlement classes. The Notice and other important documents related to the settlements can be accessed at [www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems](http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems), or by calling 1-877-670-0952 or writing to Windshield Wiper Systems Direct Purchaser Antitrust Litigation, P.O. Box 2838, Portland, OR 97208-2838. Those who believe they may be a member of either of the MITSUBA or DENSO settlement classes, are urged to obtain a copy of the Notice.

SOURCE United States District Court for the Eastern District of Michigan Southern Division

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<http://www.AutoPartsAntitrustLitigation.com/WindshieldWiperSystems>

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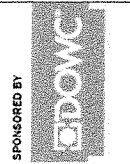
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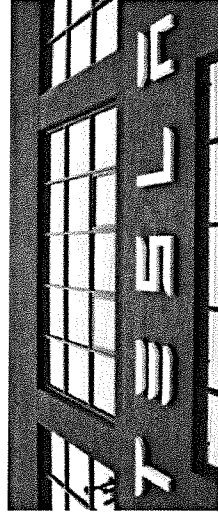
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Janesville Fiber Solutions, which makes acoustical and thermal fiber components, will become a subsidiary of Motus.

**\$6,216,176 in Direct Purchaser Settlements Reached with Windshield Wiper Systems Manufacturers in Price Fixing Class Action Lawsuit**



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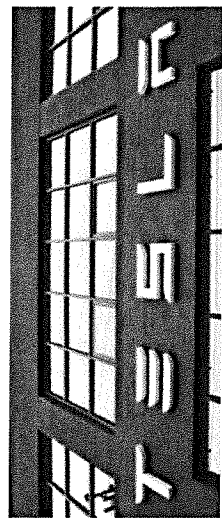
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**Supplier Motus to buy Janesville unit from Jason Industries for \$85M**

Janesville Fiber Solutions, which makes acoustical and thermal fiber components, will become a subsidiary of Motus.

**Click here for more information.**

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# EXHIBIT 2

**EXHIBIT 2**

AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 12-MD-02311,  
 WINDSHIELD WIPER SYSTEMS, 2:13-CV-00901-MOB-MKM, 2:13-CV-15125-MOB-  
MKM, 2:14-CV-10774-MOB-MKM

**REQUESTS FOR EXCLUSION FROM THE DIRECT  
PURCHASER SETTLEMENT CLASSES**

|   |  |
|---|--|
| <p><b>SUZUKI</b><br/>                 Suzuki Motor of America, Inc. and Suzuki Motor Corporation, along with companies in which Suzuki Motor Corporation directly or indirectly owns the majority of voting rights, excluding, with respect to the MITSUBA Settlement Class, entities in India or China (other than Hong Kong and Macau), and excluding, with respect to the DENSO Settlement Class, Maruti Suzuki India Limited</p> <p><b>FORD</b><br/>                 Ford Motor Company and its wholly owned divisions, subsidiaries and affiliates</p> <p><b>BMW</b><br/>                 BMW Manufacturing Co., LLC, along with its parent company (Bayerische Motoren Werke Aktiengesellschaft) and affiliated entities (including BMW of North America, LLC and BMW Consolidation Services Co., LLC)</p> <p><b>SUBARU OF INDIANA AUTOMOTIVE, INC.</b></p> <p><b>SUBARU</b><br/>                 Subaru Corporation f/k/a Fuji Heavy Industries Ltd.</p> <p><b>HONDA</b><br/>                 American Honda Motor Co., Inc.<br/>                 Honda of America Manufacturing, Inc.<br/>                 Honda Manufacturing of Indiana, LLC<br/>                 Honda Manufacturing of Alabama, LLC</p> | <p><b>TOYOTA</b><br/>                 Toyota Motor North America, Inc.<br/>                 Toyota Motor Engineering &amp; Manufacturing North America, Inc. and its subsidiaries and affiliates<br/>                 Toyota North America, Inc.<br/>                 Toyota Motor Sales U.S.A., Inc.<br/>                 Toyota Motor Manufacturing, Mississippi, Inc.<br/>                 Toyota Motor Manufacturing, Indiana, Inc.<br/>                 Toyota Motor Manufacturing, Kentucky, Inc.<br/>                 Toyota Motor Manufacturing<br/>                 Toyota Motor Corporate Service<br/>                 Toyota Motors of America<br/>                 Toyota Motor Manufacturing de Baja California, S. de R.L. de C.V.<br/>                 Toyota Motor Manufacturing, West Virginia, Inc.<br/>                 Toyota Motor Manufacturing, Alabama, Inc.<br/>                 Toyota Motor Manufacturing, Texas, Inc.<br/>                 Toyota Motor Manufacturing, Canada, Inc.<br/>                 Toyota Motor Corporation<br/>                 Toyota Motor Engineering<br/>                 New United Motor Manufacturing, Inc.<br/>                 Bodine Aluminum, Inc.<br/>                 TABC, Inc.<br/>                 Canadian Autoparts Toyota Inc.<br/>                 Toyota Motor Manufacturing de Guanajuato, S.A. de C.V.<br/>                 Toyota Motor Manufacturing California, Inc<br/>                 Toyota Motor Manufacturing, Northern Kentucky, Inc.<br/>                 Toyota Motor Canada, Inc.<br/>                 Toyota Motor Asia Pacific Engineering &amp; Manufacturing Co., Ltd. and its subsidiaries</p> |
|---|--|



|  |   |
|--|---|
| <p>Honda Trading Corp., and related entities</p> <p><b>FCA</b><br/>FCA US LLC and its predecessors-in-interest:<br/>DaimlerChrysler, Chrysler LLC, and<br/>Chrysler Group LLC</p> <p><b>MITSUBISHI MOTORS NORTH AMERICA, INC.</b><br/>Mitsubishi Motors North America, Inc. and<br/>Mitsubishi Motors Corporation, along with<br/>their subsidiaries and majority-owned<br/>affiliates</p> <p><b>GENERAL MOTORS</b><br/>General Motors LLC (“GM”),<br/>General Motors Company, and<br/>General Motors Holdings LLC, along with all<br/>their subsidiaries (in which GM directly or<br/>indirectly owns 50% or more of the voting<br/>rights) and majority-owned affiliates</p> | <p>Toyota Motor Thailand Co., Ltd. and its<br/>subsidiaries<br/>PT, Toyota Motor Manufacturing Indonesia<br/>and its subsidiaries<br/>Assembly Services Sdn. Bhd and its<br/>subsidiaries<br/>Toyota Motor Vietnam Co., Ltd. and its<br/>subsidiaries<br/>Toyota Motor Philippines Corp. and its<br/>subsidiaries<br/>Toyota Kirloskar Motor Private Ltd. and its<br/>subsidiaries</p> <p><b>NISSAN</b><br/>Nissan Motor Co., Ltd. and<br/>Nissan North America, Inc., including their<br/>subsidiaries and majority-owned affiliates</p> |
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# EXHIBIT 3

### Exhibit 3

#### AUTOMOTIVE PARTS ANTITRUST LITIGATION, CASE NO. 12-MD-02311

WINDSHIELD WIPERS SYSTEMS, 2:13-CV-00901-MOB-MKM, 2:13-CV-15125-MOB-MKM, 2:14-CV-10774-MOB-MKM

#### Requests for Exclusion

| Class Member                          | DENSO | MITSUBA |
|---------------------------------------|-------|---------|
| BMW MANUFACTURING CO., LLC            | X     | X       |
| FCA US LLC                            | X     |         |
| FORD MOTOR COMPANY                    | X     |         |
| GENERAL MOTORS LLC                    | X     | X       |
| HONDA OF AMERICA MANUFACTURING, INC.  | X     | X       |
| MITSUBISHI MOTORS NORTH AMERICA, INC. | X     |         |
| NISSAN MOTOR CO., LTD.                | X     | X       |
| SUBARU CORPORATION                    | X     | X       |
| SUBARU OF INDIANA AUTOMOTIVE, INC.    | X     | X       |
| SUZUKI MOTOR CORPORATION              | X     | X       |
| TOYOTA MOTOR CORPORATION              | X     |         |

**X = Requested Exclusion from Settlement**