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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**IN RE CAPACITORS ANTITRUST
LITIGATION**

**MDL Case No. 17-md-02801-JD
Case No. 3:14-cv-03264-JD**

**This Document Relates to:
All Indirect Purchaser Actions**

**~~PROPOSED~~ ORDER GRANTING
INDIRECT PURCHASER PLAINTIFFS'
MOTION FOR APPROVAL OF CLASS
NOTICE PROGRAM**

1 The Indirect Purchaser Plaintiffs (“IPPs”) filed a Motion for Approval of a Class Notice
2 Program to notify the classes of settlements with (1) Holystone Enterprise Co., Ltd., Holy
3 Stone Holdings Co., Ltd., Holy Stone Polytech Co., Ltd., and Milestone Global Technology,
4 Inc. (together, “Holystone”), (2) Nippon Chemi-con Corp. and United Chemi-con Corp.
5 (together, “NCC/UCC”), (3) Rubycon Corp. and Rubycon America Inc. (together, “Rubycon”)
6 (4) Hitachi Chemical Co., Ltd., Hitachi AIC Inc., and Hitachi Chemical Co. America, Ltd.,
7 (together, “Hitachi Chemical”), and (5) Soshin Electric Co., Ltd. and Soshin Electronics of
8 America, Inc. (together, “Soshin”) (collectively, “Settling Defendants”).

9 The Court heard the argument of counsel and, having reviewed the pleadings, the
10 proposed notices and the amended proposed notices, other papers on file in this action, and the
11 statements of counsel and the parties, hereby finds that the motion should be **GRANTED**.

12 **NOW, THEREFORE, IT IS HEREBY ORDERED THAT:**

- 13 1. Settlement Class Counsel and their designees are authorized to expend funds
14 from the escrow accounts to pay taxes, tax expenses, notice, and administration
15 costs as set forth in the Settlement Agreements.
- 16 2. The Court finds that IPPs’ proposed notice program fully complies with Federal
17 Rule of Civil Procedure 23 and due process and constitutes the best notice
18 practicable under the circumstances.
- 19 3. The Court approves the form of the Short Form Notice attached hereto as
20 Exhibit A (“Amended Short Form Notice”). The Court also approves the form
21 of the Long Form Notice attached hereto as Exhibit B (“Amended Long Form
22 Notice”). The Court finds that taken together, mailing the Short Form Notice by
23 U.S. mail to those addresses of class members that are available to Settlement
24 Class Counsel, together with publication of the Short Form Notice, and internet
25 posting of the Long Form Notice are: (i) the best notice practicable; (ii)
26 reasonably calculated to, under the circumstances, apprise members of the
27 settlement classes of the proposed settlements and of their right to object or to
28 exclude themselves as provided in the settlement agreements; (iii) reasonable

1 and constitute due, adequate, and sufficient notice to all persons entitled to
 2 receive notice; and (iv) meet all applicable requirements of due process and any
 3 other applicable requirements under federal or state law.

- 4 4. IPPs’ notice provider shall provide notice of the settlements.
- 5 5. IPPs’ notice provider shall publish the Short Form Notice in *The Wall Street*
 6 *Journal*, as discussed in the Notice Plan.
- 7 6. IPPs’ notice provider shall cause banner ads to be placed on the websites as
 8 discussed in the Notice Plan, or substantially similar websites should some
 9 circumstance make it impossible to post on the precise websites listed in the
 10 Notice Plan.
- 11 7. IPPs’ notice provider shall cause banner ads to be run consistent with the Notice
 12 Plan.
- 13 8. IPPs’ notice provider shall publish notice in selected trade e-newsletters as
 14 noted in the Notice Plan.
- 15 9. IPPs’ notice provider shall send news releases regarding the case as an email
 16 “blast” to subscribers as discussed in the Notice Plan.
- 17 10. The Court sets the following schedule for the dissemination of class notice and
 18 the scheduling of further litigation events, including but not limited to, the final
 19 approval hearing, opt-out and objection deadlines, and deadlines by which a
 20 motion for attorneys’ fees and litigation expenses shall be submitted:

21 11.

Event	Time	Date
Mail Notice	30 days after Order	June 25, 2018
Publication Begins	45 days after Order	July 9, 2018
Publication Ends	75 days after Order	August 8, 2018
IPPs’ Motion for Attorneys’ Fees and Reimbursement of Litigation Expenses	80 days after Order and 14 days before Exclusion and Objection Deadline	August 13, 2018

Event	Time	Date
Exclusion and Objection Deadline	95 days after Order	August 28, 2018
Motion for Final Approval and Response to Objections (if any)	110 days after Order and 35 days before hearing	September 12, 2018
Final Approval Hearing	146 days after Order	October 18, 2018

12. Consistent with the above schedule, each member of the settlement classes shall have the right to be excluded from the settlement classes by mailing a request for exclusion to the claims administrator to be postmarked no later than August 28, 2018. Requests for exclusion must be in writing and set forth the name and address of the person or entity that wishes to be excluded, any trade name or business name and address used by such person or entity, and must be signed by the class member seeking exclusion. No later than September 5, 2018, Settlement Class Counsel shall file with the Court a list of all persons or entities who have timely requested exclusion from the settlement classes as provided in the settlement agreements.

13. Any member of the settlement classes that does not properly and timely request exclusion from the settlement classes as provided above shall, upon final approval of the settlements, be bound by the terms and provisions of the settlements so approved, including, but not limited to, the releases, waivers, and covenants set forth in the settlement agreements, whether or not such person or entity objected to the settlement agreements, and whether or not such person or entity makes a claim upon the settlement funds.

14. Each member of the settlement classes that has not timely excluded itself from the settlement classes shall have the right to object to (1) the settlement and/or (2) the plan of allocation by filing written objections with the Court no later than August 28, 2018. Failure to timely file written objections will preclude a class member from objecting to any or all of the settlements.

1 15. Each member of the settlement classes as provided above shall have the right to
2 appear at the Fairness Hearing by filing a notice of intention to appear no later
3 than October 4, 2018.

4 16. The Court will conduct a Fairness Hearing on October 18, 2018 at 10:00 a.m., at
5 the United States Courthouse, 450 Golden Gate Avenue, Courtroom 11, 19th
6 Floor, San Francisco, California 94102. The Fairness Hearing will be conducted
7 to determine the following:

- 8 a. Whether the proposed settlements are fair, reasonable, and adequate and
9 should be granted final approval;
- 10 b. Whether final judgment should be entered dismissing with prejudice the
11 claims of the settlement classes against Holystone, NCC/UCC, Rubycon,
12 Hitachi, and Soshin; and
- 13 c. Such other matters as the Court may deem appropriate.

14 17. All briefs, memoranda, and papers in support of final approval of the settlement
15 shall be filed no later than September 12, 2018.

16
17 **IT IS SO ORDERED.**

18 Dated: May 25, 2018

19 
20 _____
21 JAMES DONATO
22 United States District Judge
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LEGAL NOTICE

If You Bought an Electrolytic or Film Capacitor From Distributors Since 2002

You Could Get Money From Settlements Totaling Approximately \$35 Million

Defendants Hitachi, Soshin Electronics, Rubycon, Holy Stone and Nippon/United Chemi-Con (collectively “Settling Defendants”) have agreed to Settlements resolving claims that they allegedly fixed the prices of certain Capacitors. This may have caused individuals and businesses to pay more for Capacitors. Capacitors are electronic components that store electric charges between one or more pairs of conductors separated by an insulator.

Am I Included?

You may be included if, from January 1, 2002, through February 28, 2014, you purchased one or more Capacitors from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured. “Indirect,” as that term is used below, means that you bought the product from someone other than the manufacturer, for example, from a distributor. A more detailed notice, including the exact Class definitions and exceptions to Class membership, is available at www.capacitorsindirectcase.com.

What do the Settlements provide?

The Settlements provide for the combined payment of \$34,590,000 in cash to the Classes. The Settling Defendants have also agreed to cooperate in the pursuit of claims against the other non-Settling Defendants.

How can I get a payment?

Money will not be distributed to the Classes at this time. The lawyers for the Classes will pursue the lawsuit against the other Defendants to see if any future settlements or judgments can be obtained in the case and then all of the settlement funds obtained in the case will be distributed together at the end of the case to reduce expenses. When the settlement proceeds are disbursed to the Classes, it will be done on a *pro rata* basis to each Class Member in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases of Capacitors during the Settlement class period. A list of the states that permit indirect purchaser class claims is set forth on the website www.capacitorsindirectcase.com.

If you want to receive notice about the claims process or future settlements, you should register at www.capacitorsindirectcase.com.

What are my rights?

Even if you do nothing, you will be bound by the Court’s decisions concerning these Settlements. If you want to keep your right to sue one or more of the Settling Defendants regarding Capacitor purchases, you must exclude yourself in writing from the Classes by [REDACTED]. If you stay in the Classes, you may object in writing to the Settlements by [REDACTED]. The Settlement Agreements, along with details on how to exclude yourself or object, are available at www.capacitorsindirectcase.com. The U.S. District Court for the Northern District of California will hold a hearing on [REDACTED], at [REDACTED] p.m., at 450 Golden Gate Avenue, 19th Floor, Courtroom 11, San Francisco, CA 94102 to consider whether to finally approve the Settlements. Class Counsel may also request attorneys’ fees of up to 30% of the Settlement Funds (\$10,377,000), plus reimbursement of costs and expenses, for investigating the facts, litigating the case, negotiating the Settlements, providing notice to the Classes, and/or claims administration. The total amount of these costs shall be no more than \$4,750,000.00. You or your own lawyer may appear and speak at the hearing at your own expense, but you don’t have to. The hearing may be moved to a different date or time

For More Information: 1-866-217-4245/www.capacitorsindirectcase.com

without additional notice, so it is a good idea to check the above-noted website for additional information. Please do not contact the Court about this case.

If the case against the other Defendants is not dismissed or settled, Class Counsel will have to prove their claims against the other Defendants at trial. Dates for the trial have not yet been set. The Court has appointed the law firm of Cotchett, Pitre & McCarthy, LLP to represent Indirect Purchaser Class members.

If You Bought an Electrolytic or Film Capacitor From Distributors Since 2002

You Could Get Money From Settlements Totaling Approximately \$35 Million

A Federal Court authorized this Notice. This is not a solicitation from a lawyer.

- Please read this Notice and the Settlement Agreements available at www.capacitorsindirectcase.com carefully. Your legal rights may be affected whether you act or don't act. This Notice is a summary, and it is not intended to, and does not, include all of the specific details of the Settlement Agreements. To obtain more specific details concerning the Settlements, please read the Settlement Agreements.
- A class action lawsuit brought on behalf of indirect purchasers of electrolytic and film capacitors ("Capacitors") is currently pending. Capacitors are electronic components that store electric charges between one or more pairs of conductors separated by an insulator.
- Plaintiffs claim that Defendants (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain, or stabilize the prices of Capacitors. Plaintiffs allege that, as a result of the unlawful price-fixing conspiracy involving Capacitors, they and other indirect purchasers paid more for Capacitors than they would have paid absent the conspiracy. Defendants deny Plaintiffs' claims.
- Settlements have now been reached with Defendants Hitachi Chemical Co., Ltd., Hitachi Aic Inc., and Hitachi Chemical Co. America, Ltd. ("Hitachi"); Soshin Electric Co., Ltd. And Soshin Electronics Of America, Inc. ("Soshin"); Rubycon Corp. and Rubycon America, Inc. ("Rubycon"); Holy Stone Enterprise Co., Ltd., Holy Stone Holdings Co., Ltd., Holy Stone Polytech Co., Ltd., And Milestone Global Technology, Inc ("Holystone"); and Nippon Chemi-Con Corp. and United Chemi-Con, Inc. ("NCC/UCC") (collectively, "Settling Defendants").
- Your legal rights will be affected whether you act or don't act. This Notice includes information on the Settlements and the lawsuit. Please read the entire Notice carefully.
- The following rights and options – and deadlines to exercise them – are explained in this Notice.

YOUR LEGAL RIGHTS AND OPTIONS		
EXCLUDE YOURSELF	You will not be included in the Settlement(s) from which you exclude yourself. You will receive no benefits from the Settlement(s) from which you exclude yourself, but you will keep any rights you currently have to sue the Settling Defendants about the claims in the case(s) from which you exclude yourself.	_____
DO NOTHING NOW	You will be included in the Settlements and are eligible to file a claim for a payment (if you qualify) at a later date. You will give up your rights to sue the Settling Defendants about the claims in these cases.	_____
OBJECT TO THE SETTLEMENT	If you do not exclude yourself, you can write to the Court explaining why you disagree with the Settlements.	_____
GO TO THE HEARING	Ask to speak in Court about your opinion of the Settlements.	_____
REGISTER ON THE WEBSITE	The best way to receive notice about filing a claim and updates about the lawsuit.	_____

- The Court in charge of this case still has to decide on final approval of the Settlements. Payments will be made only (1) if the Court approves the Settlements and after any appeals are resolved, and (2) after the Court approves a Distribution Plan to distribute the Settlement Funds minus expenses and any Court-approved attorneys' fees ("Net Settlement Funds") to Class Members. The proposed Distribution Plan for these Settlements is to make a *pro rata* distribution to each Class Member that is a resident in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases per Class Member of Capacitors of film or electrolytic Capacitors during the Settlement class period. A list of the states that permit indirect purchaser class claims is set forth on the website www.capacitorsindirectcase.com. There is no claims process at this time. Class Counsel will distribute settlement and judgment proceeds at the conclusion of the case to save as much money for the classes as possible.

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BASIC INFORMATION

1. What Is This Notice About?

This Notice is to inform you about new Settlements reached in this litigation, before the Court decides whether to grant final approval to these new Settlements. This Notice explains the lawsuit, the new Settlements, and your legal rights. The Court in charge is the United States District Court for the Northern District of California. This litigation is known as *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD. The people who sued are called the “Plaintiffs.” The companies they sued are called the “Defendants.”

2. What Is This Lawsuit About?

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of Capacitors for more than ten years, resulting in overcharges to indirect purchasers of Capacitors. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. and state antitrust, unfair competition, and consumer protection laws by agreeing to fix prices and restrict output of Capacitors by, among other things, face-to-face meetings and other communications, customer allocation, and the use of trade associations. Defendants deny Plaintiffs’ allegations. The Court has not decided who is right.

3. Why Are There Settlements, But the Litigation Is Continuing?

Only certain Defendants have agreed to settle the lawsuit. In addition to the Settling Defendants listed above, NEC TOKIN Corp. and NEC TOKIN America, Inc. (“NEC TOKIN”); Okaya Electric Industries Co., Ltd. (“OEI”); and Nitsuko Electronics Corporation (“Nitsuko”) have previously agreed to settlements. Those settlements have been finally approved. The case is continuing against the remaining Defendants (“Non-Settling Defendants”). Additional money may become available in the future as a result of a trial or future settlements, but there is no guarantee that this will happen.

4. Who Are the Non-Settling Defendant Companies?

The Non-Settling Defendant companies include: Elna Co., Ltd., Elna America Inc., Matsuo Electric Co., Ltd., Matsuo Electric Co., Ltd., Nichicon Corp., Nichicon America Corp., Nissei Electric Co., Ltd., Panasonic Corp., Panasonic Corp. of North America, SANYO Electric Co., Ltd., SANYO Electronic Device (U.S.A.) Corp., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd. (collectively, “Non-Settling Defendants”).

5. What Are Capacitors?

Capacitors are one of the most common electronic components in the world today. They store electric charges between one or more pairs of conductors separated by an insulator. Most electronic products – from cellphones to personal computers to home appliances – contain them, sometimes hundreds of them. The three basic types of capacitors are ceramic, electrolytic, and film, the latter two of which are the subject of this lawsuit. Electrolytic and film capacitors are widely used in a range of industries, such as information and telecommunications, audiovisual, and electronic games. An “electrolytic capacitor” uses an electrolyte (an ionic conducting liquid) as one of its plates to achieve a relatively larger capacitance per unit volume. A “film capacitor” uses insulating plastic film and one of two conductive materials, propylene or polyester.

6. Why Is This a Class Action?

In a class action, one or more people called the “class representatives” sue on behalf of themselves and other people with similar claims in the specific class action. All of these people together are the “Class” or “Class Members.” In a class action, one court may resolve the issues for all Class Members, except for those who exclude themselves from the class.

THE SETTLEMENTS

7. How Do I Know If I May Be Included in the Class?

The Hitachi, Rubycon and NCC/UCC settlements include two Settlement Classes. They are:

(Electrolytic Capacitors Class): all persons and entities in the United States who, during the period from April 1, 2002, through February 28, 2014, purchased one or more Electrolytic Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured;

(Film Capacitors Class): all persons and entities in the United States who, during the period from January 1, 2002, through February 28, 2014, purchased one or more Film Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured.

Excluded from the foregoing Classes are Defendants, their parent companies, subsidiaries, and Affiliates, any co-conspirators, Defendants’ attorneys in this case, federal government entities and instrumentalities, states and their subdivisions, all judges assigned to the case, all jurors in the case, and all persons and entities who directly purchased Capacitors from a Defendant.

The Soshin Settlement Class includes all persons and entities in the United States who, during the period from January 1, 2002, through February 28, 2014, purchased one or more Film Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured. Excluded from the Soshin Settlement Class are Defendants, their parent companies, subsidiaries and Affiliates, any co-conspirators, Defendants' attorneys in this case, federal government entities and instrumentalities, states and their subdivisions, all judges assigned to the case, and all jurors in the case, and all Persons who directly purchased Capacitors from Defendants.

The Holy Stone Settlement Class includes all persons and entities in the United States who, during the period from April 1, 2002, through February 28, 2014, purchased one or more Electrolytic Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured. Excluded from the Holy Stone Settlement Class are Defendants, their parent companies, subsidiaries and Affiliates, any co-conspirators, Defendants' attorneys in this case, federal government entities and instrumentalities, states and their subdivisions, all judges assigned to the case, and all jurors in the case, and all persons and entities who directly purchased Capacitors from Defendants.

The specific definition of who is included in each of the Settlement Classes is set forth in the Settlement Agreements and in the order preliminarily approving the Settlements. The Settlement Agreements, the preliminary approval order, and the related Complaints are accessible on the website www.capacitorsindirectcase.com.

8. What Do the Settlements Provide?

The combined Settlement Fund from these new Settlements is \$34,590,000. After deduction of attorneys' fees, notice and administration costs, and litigation expenses, as approved by the Court, the remaining Settlement Fund will be available for distribution to Class Members that timely file valid claims. There is no claims process or deadline at this time. Class Counsel anticipates distributing all settlement and judgment proceeds at the end of the case to minimize costs for the classes. The Settlements also include nonmonetary relief, including cooperation in litigating the remaining claims against the Non-Settling Defendants.

More details about the Settlements are set forth in the Settlement Agreements, available at www.capacitorsindirectcase.com.

HOW TO GET BENEFITS

9. How Much Money Can I Get?

At this time, it is unknown how much each Class Member that submits a valid claim will receive. Payments will be based on a number of factors, including the number of valid claims filed by all Class Members for film or electrolytic Capacitors and the dollar value of each Class Member's purchase(s) of film or electrolytic Capacitors in proportion to the total claims filed. No matter how many claims are filed, no money will be returned to the Settling Defendants once the Court finally approves the Settlements. In order to receive a payment, you will need to file a valid claim form before the claims period ends. The claims period has not yet begun. A Notice about the claims process will be provided at a later date as ordered by the Court. If you want to be kept updated about the claims process or any future settlements, you should register at www.capacitorsindirectcase.com.

Payments to Class Members will be made only: (1) if the Court approves the Settlements and after any appeals are resolved, and (2) in accordance with the Distribution Plan to distribute the Settlement Funds minus expenses and Court-approved attorneys' fees ("Net Settlement Fund") to Class Members. The Distribution Plan, as approved by the Court, will determine the amount, if any, that each Class Member will receive. The proposed distribution plan for these Settlements is to make a *pro rata* distribution to each Class Member in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases of Capacitors per Class Member during the Settlement class period. A list of the states that permit indirect purchaser class claims is set forth on the website www.capacitorsindirectcase.com.

10. When Will I Get a Payment?

No money will be distributed yet. The lawyers for the Plaintiffs will continue to pursue the lawsuit against the Non-Settling Defendants. All Settlement Funds that remain after payment of the Court-ordered attorneys' fees, costs, and expenses will be distributed at the conclusion of the lawsuit or as ordered by the Court. Counsel for the Class may request that the Court permit the reimbursement of certain litigation costs and expenses. If such request is made, it will be filed at least fourteen days before the objection deadline and posted on the website www.capacitorsindirectcase.com at that time. Class counsel believes that the total amount of attorneys' fees sought will be no more than 30% of the Settlement Fund or \$10,377,000.00, and the total amount of costs sought will be no more than \$ 4,750,000.00.

REMAINING IN THE CLASS

11. What Happens If I Remain in the Class?

You will give up your right to sue the Settling Defendants on your own for the claims described in the Settlement Agreements unless you exclude yourself from one or more of the Settlement Classes. You also will be bound by any decisions by the Court relating to the Settlements. In return for paying the Settlement Amount and providing the nonmonetary benefits, the Settling Defendants (and certain related entities defined in the Settlement Agreements) will be released from claims relating to the alleged conduct involving the Capacitors identified in the Settlement Agreements. The Settlement Agreements describe the released claims in detail, so read them carefully, since those releases will be binding on you if the Court approves the Settlements. If you have any questions, you can talk with Class Counsel for free, or you can, of course, talk with your own lawyer (at your own expense) if you have questions about what this means. The Settlement Agreements and the specific releases are available at www.capacitorsindirectcase.com.

EXCLUDING YOURSELF FROM THE SETTLEMENT CLASSES

12. How Do I Get Out of the Settlement Classes?

To exclude yourself from one or more of the Settlement Classes, you must send a letter by mail stating that you want to be excluded from *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD. Your letter must also include the following:

- Your name, address, and telephone number;
- A statement saying that you want to be excluded from *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD;
- A statement indicating, by Defendant name, the settlements from which you wish to be excluded; and
- Your signature.

You must include the following statement with your exclusion request: “I want to be excluded from the Capacitors Antitrust Litigation class action settlement with [SPECIFY THE NAME OF EACH SETTLING DEFENDANT WHOSE SETTLEMENT YOU WISH TO EXCLUDE YOURSELF FROM]. I understand that by so doing, I will not be able to get any money or benefits from the settlement with that/those Settling Defendant(s) in this case.”

You must mail your exclusion request, postmarked no later than , to:

Capacitors Indirect Settlement
EXCLUSIONS
c/o A.B. Data, Ltd.
P.O. Box 173001
Milwaukee, WI 53217-8042

13. If I Don’t Exclude Myself, Can I Sue for the Same Thing Later?

No. Unless you exclude yourself, you give up any right to sue the Settling Defendants for the claims being released in this litigation.

If you have a pending lawsuit against any of the Defendants, speak to your lawyer in that lawsuit immediately, because you may need to exclude yourself from the Class(es) to continue your own lawsuit.

14. If I Exclude Myself, Can I Still Get Money Benefits?

No. If you exclude yourself from any Settlement Class in the Settlements, you will not get any money as a result of the Settlement.

THE LAWYER REPRESENTING YOU

15. Do I Have a Lawyer Representing Me?

The Court has appointed the following lawyer as Class Counsel to represent you and all other members of the Classes:

<p>Adam J. Zapala, Esq. Cotchett, Pitre & McCarthy, LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010</p>
--

You will not be charged for contacting this lawyer. If you want to be represented by your own lawyer, you may hire one at your own expense.

16. How Will the Lawyers Be Paid?

At the Final Fairness Hearing, Class Counsel may ask the Court to reimburse them for certain fees, costs, and expenses. At the Final Fairness Hearing, or at a later date, Class Counsel will ask the Court for attorneys' fees based on their services in this litigation, not to exceed 30% of the Settlement Funds and may ask to be reimbursed for certain expenses already incurred on behalf of the Classes in an amount not to exceed \$ 4,750,000.00. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the requested amount. The attorneys' fees, costs, and expenses that the Court orders, plus the costs to administer the Settlements, will come out of the Settlement Funds. Class Counsel may seek additional attorneys' fees, costs, and expenses from any other settlements or recoveries obtained in the future.

When Class Counsel's motion for fees, costs, and expenses is filed, it will be available at www.capacitorsindirectcase.com. The motion will be posted on the website at least 14 days before the deadline for objecting, commenting on, or excluding yourself from the Settlements. You will have an opportunity to comment on this request.

OBJECTING TO THE SETTLEMENTS**17. How Do I Object to or Comment on the Settlements?**

If you have objections to or comments about any aspect of the Settlements, you may express your views to the Court. You can object to or comment on one or more Settlements only if you do not exclude yourself from that Settlement Class. To object to or comment on the Settlements, you must do the following:

- Specify in writing your name, address, and telephone number;
- Clearly identify in writing the case name, number, and Settlement (*In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD);
- Submit your letter to the Court either by mailing it to the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing it in person at any location of the United States District Court for the Northern District of California;
- Also submit your letter or objection to Class Counsel; and
- Make sure that the letter is filed or postmarked on or before [REDACTED].

18. What Is the Difference Between Excluding Myself From the Class and Objecting to the Settlements?

If you exclude yourself from any of the Classes, you are telling the Court that you do not want to participate in the Settlement(s). Therefore, you will not be eligible to receive any benefits from the Settlement(s), and you will not be able to object to the Settlement(s). Objecting to a Settlement simply means telling the Court that you do not like something about the Settlement. Objecting does not make you ineligible to receive a payment.

THE FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlements and any requests by Class Counsel for fees, costs, and expenses. You may attend and you may ask to speak, but you do not have to do so.

19. When and Where Will the Court Decide Whether to Approve the Settlements?

The Court will hold a Final Fairness Hearing at [REDACTED] .m. on [REDACTED], at the United States Courthouse, 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102. The hearing may be moved to a different date or time without additional notice, so check the Court's PACER site, <http://cand.uscourts.gov/cm-ecf>; or www.capacitorsindirectcase.com; or call 1-866-217-4245 to confirm that the date has not been changed. At this hearing, the Court will consider whether the Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel and whether to reimburse Class Counsel for certain costs. At or after the hearing, the Court will decide whether to approve the Settlements.

20. Do I Have to Attend the Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to attend at your expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you filed or mailed your written objection on time, the Court will consider it. You may also hire your own lawyer at your own expense to attend on your behalf, but you are not required to do so.

21. May I Speak at the Hearing?

If you send an objection or comment on the Settlements, you may have the right to speak at the Final Fairness Hearing as determined by the Court. You cannot speak at the hearing if you exclude yourself from any of the Classes.

THE TRIAL

22. When and Where Will the Trial Against the Non-Settling Defendants Take Place?

If the case against the Non-Settling Defendants is not dismissed or settled, the Plaintiffs will have to prove their claims against the Non-Settling Defendants at trial. Trial dates have not yet been set. The trial will be held at the United States Courthouse at 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102.

At the trial, a decision will be reached about whether the Plaintiffs or the Non-Settling Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win any money or other benefits for Class Members at trial.

23. What Are the Plaintiffs Asking for From the Non-Settling Defendants?

The Class Representatives are asking for damages for Class Members. The Class Representatives are also seeking an order to prohibit the Non-Settling Defendants from engaging in the alleged behavior that is the subject of the lawsuit.

24. Will I Get Money After the Trial?

If the Plaintiffs obtain money or benefits as a result of a trial or settlement, Class Members will be notified about how to ask for a share or what their other options are at that time. These things are not known right now.

GET MORE INFORMATION

25. How Do I Get More Information?

This Notice summarizes the Settlements. More details are in the Settlement Agreements. You can get copies of the Settlement Agreements and more information about the Settlements at www.capacitorsindirectcase.com. You also may write with questions to Capacitors Indirect Settlement, c/o A.B. Data, Ltd., P.O. Box 173020, Milwaukee, WI 53217-8042 or call the toll-free number 1-866-217-4245. You should also register at the website to be notified directly of any future settlements, the terms of the Distribution Plan of the Settlement Funds, how to file a claim form, and other information concerning this litigation.

**DO NOT CONTACT THE COURT, THE OFFICE OF THE CLERK OF THE COURT,
DEFENDANTS, OR THEIR COUNSEL REGARDING THIS NOTICE**

Dated: May 25, 2018

By Order of the Court
United States District Court
Northern District of California