

CAPACITORS INDIRECT PURCHASER CASE

CLAIM FORM

GENERAL INFORMATION

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.

Settlements totaling approximately \$80.5 million have been reached with Defendants ELNA Co., Ltd. and ELNA America, Inc., ("ELNA"); Hitachi Chemical Co., Ltd., Hitachi AIC Inc., and Hitachi Chemical Co. America, Ltd. ("Hitachi"); Holy Stone Enterprise Co., Ltd., Holy Stone Holdings Co., Ltd., Holy Stone Polytech Co., Ltd., and Milestone Global Technology, Inc ("Holystone"); Matsuo Electric Co., Ltd., ("Matsuo"); Nippon Chemi-Con Corp. and United Chemi-Con, Inc. ("NCC/UCC"); NEC TOKIN Corp. and NEC TOKIN America, Inc. ("NEC TOKIN"); Nichicon Corporation and Nichicon (America) Corporation ("Nichicon"); Nitsuko Electronics Corporation ("Nitsuko"); Okaya Electric Industries Co., Ltd. ("OEI"); Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., SANYO Electric Co., Ltd., and SANYO Electronic Device (U.S.A.) Corporation ("Panasonic"); Rubycon Corp. and Rubycon America, Inc. ("Rubycon"); and Soshin Electric Co., Ltd. And Soshin Electronics Of America, Inc. ("Soshin") (collectively, the "Settling Defendants").

The specific definition of who is included in each of the Classes for the agreements reached with each Settling Defendant are set forth in the Settlement Agreements and in the orders preliminarily approving the Settlements. The Settlement Agreements, the preliminary approval orders, and the related Complaint are accessible on the website www.capacitorsindirectcase.com.

The Non-Settling Defendant companies include Nissei Electric Co., Ltd., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd. (collectively, "Non-Settling Defendants"). The Settlements also include nonmonetary relief, including cooperation in litigating the remaining claims against the Non-Settling Defendants.

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 is scheduled to start on February 3, 2020. 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.

TO BE ELIGIBLE FOR PAYMENT YOU MUST SUBMIT A VALID PROOF OF CLAIM AND RELEASE FORM NO LATER THAN [DATE].

REQUIREMENTS FOR FILING THE ATTACHED CLAIM FORM

Your Claim will be considered only if you meet the following conditions:

1. You must accurately complete all required portions of the attached Claim Form.
2. You must sign the Claim Form, which includes the Certification. If you submit the form electronically, your electronic signature and submission of the form will have the same force and effect as if you signed the form on paper.
3. By signing and submitting the Claim Form, you are swearing under penalty of perjury that you are a Class Member and the information you provide on the Claim Form is accurate.
4. If you are submitting the Claim Form on behalf of another person or entity, indicate the capacity in which you are submitting the claim and proof of your authority to do so.
5. You have two options for completing a Proof of Claim Form:

- i. You can mail the completed and **signed** Claim Form by mail, postmarked no later than [REDACTED], to:

Capacitors Indirect Case
c/o A.B. Data, Ltd.
P.O. Box 173020
Milwaukee, WI 53217

OR

- ii. You can complete and submit the Claim Form using the Settlement Administrator's Website, www.capacitorsindirectcase.com. Upon completion of the online Claim Form, you will receive an acknowledgement that your claim has been submitted. If you choose this option and file a claim electronically, your electronic signature and submission of the form will conform to the requirements of the Electronic Signatures Act, 15 U.S.C. § 7001, et seq., and will have the same force and effect as if you signed the Claim Form in hard copy.
6. Your failure to complete and submit the Claim Form postmarked or filed online by [REDACTED], will prevent you from receiving any payment from these Settlements. Claims Forms must be substantially complete at the time of submission to be considered timely filed. Submission of this Claim Form does not ensure that you will share in the payments. If the Settlement Administrator disputes a material fact concerning your Claim, you will have the right to present information in a dispute resolution process.
7. 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.
8. 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 who purchased their qualifying capacitor(s) 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. The indirect purchaser states are: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

The information provided on this Claim Form will be used solely by the Court-approved Settlement Administrator for the purposes of administering the Settlements and will not be provided to any third party or sold for marketing purposes.

**MUST BE
POSTMARKED BY
[DATE]**

Northern District of California
San Francisco Division

**FOR OFFICIAL
USE ONLY**

*In re Capacitors Antitrust Litigation
All Indirect Purchaser Actions
No. 3:14-cv-03264-JD*

PROOF OF CLAIM AND RELEASE FORM

CONTACT INFORMATION:

NAME

ADDRESS LINE 1

APT

<input type="text"/>	<input type="text"/>
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ADDRESS LINE 2

CITY

STATE

ZIP

<input type="text"/>	<input type="text"/>	<input type="text"/>
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EMAIL ADDRESS

MOBILE PHONE NUMBER

PURCHASE INFORMATION

For some but not all potential Class Members and for some but not all purchases, the Settlement Administrator has received Capacitors Class Period purchase information from certain distributors. It is important to note that the Settlement Administrator did not receive data from all distributors regarding purchases made by the class of Capacitors for the entire Class Period. If there is a Notice ID and Purchase Amount populated below, you have the option to elect for that Purchase Amount to be your full amount claimed, with no requirement for providing further proof of your purchase(s).

To elect the Purchase Amount reflected below to be your amount claimed, you must sign and date the Certification included on page 4 of this Proof of Claim and Release Form.

NOTICE ID	PURCHASE AMOUNT FILM CAPACITORS	PURCHASE AMOUNT ELECTROLYTIC CAPACITORS
<input type="text"/>	\$ <input style="width: 80%" type="text"/>	\$ <input style="width: 80%" type="text"/>

Claimants who believe that the amount listed above is not correct for any reason, or who believe they purchased more in Capacitors than the amount reflected above, may strike out the amount above and complete the box below and indicate the correct amount. If the amount above is struck, the new amount entered must be supported with proof-of-purchase documentation indicating the total purchases for which you are submitting a claim. Supporting documentation must include the product name, name of Defendant manufacturer, number of units, date of purchase, distributor purchased from, and net purchase amount. Please submit legible copies. Do not send originals, but maintain the originals in your records.

If the boxes on the previous page are blank, it means the Settlement Administrator did not receive any usable Capacitor purchase information to support your claim and you therefore must complete the box below providing your purchase information and include proof of purchase. Supporting documentation must include the product name, name of Defendant manufacturer, number of units, date of purchase, distributor purchased from, and net purchase amount. Please submit legible copies. Do not send originals, but maintain the originals in your records.

<p>TOTAL PURCHASES FILM CAPACITORS: Total amount of all purchases of Capacitors purchased from a capacitor distributor, not for resale, between January 1, 2002, and February 28, 2014.</p>	\$
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<p>TOTAL PURCHASES ELECTROLYTIC CAPACITORS: Total amount of all purchases of Capacitors purchased from a capacitor distributor, not for resale, between April 1, 2002, and February 28, 2014.</p>	\$
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CERTIFICATION

By signing this claim submission, I certify, under penalty of perjury, that the information included with this claim submission is accurate and complete to the best of my knowledge, information and belief. If I am submitting this claim submission on behalf of a Claimant, I certify that I am authorized to submit this claim submission on the behalf of the individual or entity. I am, or the individual or entity on whose behalf I am submitting this claim submission is, a member of the Class, and have not submitted a request to exclude myself, or “opt-out of”, the Settlement. I agree to furnish additional information regarding this claim submission if so requested to do so by the Settlement Administrator.

SIGNATURE	DATE

REMINDER

Please make sure that you:

1. Complete all sections of this Claim Form and include supporting documentation where applicable;
2. Sign the Claim Form; and
3. Submit your Claim Form by mail postmarked no later than **[DATE]**, to:

Capacitors Indirect Case
c/o A.B. Data, Ltd.
P.O. Box 173020
Milwaukee, WI 53217