

# PROPOSED SETTLEMENTS IN CANADIAN AUTO PARTS PRICE-FIXING CLASS ACTIONS

## BETWEEN 1997 AND 2022, DID YOU OR YOUR COMPANY:

1. Purchase and/or lease, directly or indirectly, a new or used automotive vehicle in Canada or for import into Canada; and/or
2. Purchase, directly or indirectly, any of the automotive parts listed in the chart below in Canada.

If so, you might be affected by settlements reached in related class actions.



### SETTLEMENTS ACHIEVED

The following settlements have been achieved:

Defendants	Relevant Part	Relevant Period	Amount
Valeo/Ichikoh Defendants <sup>1</sup>	Air Conditioning Systems	2001 to 2019	USD\$650,000
	Autolights	1997 to 2019	USD\$12,500
	Automotive Access Mechanisms	2002 to 2020	USD\$25,000
	High Intensity Discharge Ballasts	1998 to 2018	USD\$12,500
	<b>Total:</b>		<b>USD\$700,000</b>
Aisin Defendants	Automotive Access Mechanisms	2002 to 2020	USD\$50,000
	Door Latches & Closure Systems	2004 to 2022	USD\$50,000
	Valve Timing Control Devices	2000 to 2017	USD\$1,800,000
	<b>Total:</b>		<b>USD\$1,900,000</b>
Sanoh	Automotive Steel Tubes	2003 to 2020	<b>USD\$1,285,027</b>
Toyo Denso	Ignition Coils	2000 to 2017	USD\$25,000
	Power Window Switches	2003 to 2018	USD\$540,000
	<b>Total:</b>		<b>USD\$565,000</b>

The settlements are a compromise of disputed claims and are not an admission of liability, wrongdoing, or fault by any of the parties. The settlements are subject to the approval of the Ontario and/or Québec Courts.

Settlement class members have the following options:

1. Tell the Court what you think about the proposed settlements in writing or speak to the Court at the hearings. Written submissions must be submitted on or before November 1, 2023; or
2. Do nothing, which will allow you to be eligible to participate in the ongoing class actions.

<sup>1</sup> The allocation of the Valeo/Ichikoh settlement amount between the different parts was arrived at by Class Counsel without any input from Valeo or Ichikoh.

See the long-form notice online at [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts) for more information. Copies of the settlements and (unofficial) French translations of the settlements are also available online.

**PROPOSED DISTRIBUTION OF THE AUTOMOTIVE ACCESS MECHANISMS, AUTOMOTIVE STEEL TUBES, POWER WINDOW SWITCHES, AND VALVE TIMING CONTROL DEVICES SETTLEMENT FUNDS**

The Ontario, Québec and/or BC Courts will be asked to approve a protocol for distributing the aggregate settlement funds in the Automotive Access Mechanisms, Automotive Steel Tubes, Power Window Switches, and Valve Timing Control Devices actions.

The protocol contemplates that the administration will run in tandem with the administration of the Second Omnibus Distribution Protocol (which was previously approved by the requisite Courts), and settlement benefits will be calculated in accordance with the Second Omnibus Distribution Protocol. The claims process under the Second Omnibus Distribution Protocol has already commenced. The claims period ends on **October 30, 2023**. Claims can be filed online at [www.autopartsettlement.ca](http://www.autopartsettlement.ca).

To be eligible for compensation, Settlement Class Members must have purchased one or more of the following new passenger cars, sport utility vehicles, vans, and light trucks (up to 10,000 lbs) purchased and/or leased during the “Event Period” or “Post Event Period”, as set out in the chart below:

<b>Class Action</b>	<b>Brands</b>	<b>Event Period</b>	<b>Post Event Period</b>
Automotive Access Mechanisms	Nissan/Infiniti	Jan 1, 2002 to Sept 30, 2011	Oct 1, 2011 to Sept 30, 2015
Automotive Steel Tubes	Nissan/Infiniti	Dec 1, 2003 to Dec 31, 2008	Jan 1, 2009 to Dec 31, 2008
	Toyota/Lexus, Subaru	Jan 1, 2007 to Dec 31, 2007	Jan 1, 2008 to Dec 31, 2011
	Mazda	Jan 1, 2005 to Dec 31, 2007	Jan 1, 2008 to Dec 31, 2011
Power Window Switches	Honda/Acura	Jun 1, 2003 to Feb 28, 2013	Mar 1, 2013 to Sept 30, 2016
Valve Timing Control Devices	General Motors (Buick/Cadillac/Chevrolet/Daewoo/GMC/Hummer/Isuzu/Oldsmobile/Pontiac/Saab/Saturn), Nissan/Infiniti, Volvo, BMW/Mini Cooper	Sept 1, 2000 to Feb 28, 2010	Mar 1, 2010 to Feb 28, 2014

**No wrongdoing is alleged against the Automakers listed above. They are not defendants in these actions. The Automakers were unaware of any alleged price-fixing in respect of any of the automotive parts that they purchased for their automotive vehicles.**

For more information and to view a copy of the proposed Automotive Access Mechanisms, Automotive Steel Tubes, Power Window Switches, and Valve Timing Control Devices distribution protocol and the Second Omnibus Distribution Protocol (and unofficial French translations thereof), visit [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts).

## PROPOSED THIRD OMNIBUS DISTRIBUTION

The Ontario, Québec and/or BC Courts will be asked to approve a protocol for distributing the aggregate settlement funds in the Air Conditioning Systems, Anti-Vibration Rubber Parts, Autolights, Automotive Exhaust Systems, Braking Systems, Door Latches & Closure Systems, Ignition Coils, Instrument Panel Clusters, and Shock Absorbers actions (the "Third Omnibus Distribution Protocol"). The Braking Systems and Door Latches & Closure Systems actions are still ongoing. As such, funds will not be distributed in these actions at this time. However, Settlement Class Members with purchases of Newly Added Vehicles in the Braking Systems and Door Latches & Closure Systems actions must file a claim in the Third Omnibus Distribution to be eligible for future compensation in these cases. Combining the claims process in these cases with the Third Omnibus Distribution Protocol will reduce the administration costs borne by Settlement Class Members.

To be eligible for compensation, a Settlement Class Member must have purchased and/or leased one or more of the following new passenger cars, sport utility vehicles, vans, and light trucks (up to 10,000 lbs) purchased and/or leased during the "Event Period" or "Post Event Period", as set out in the chart below.

Class Action	Affected Vehicles		Event Period	Post Event Period
	Previously Included Vehicles	Newly Included Vehicles		
Air Conditioning Systems	General Motors (Buick/ Cadillac/ Chevrolet/ Daewoo/ GMC /Hummer/ Isuzu/ Oldsmobile/ Pontiac/ Saab/Saturn)	Mitsubishi	Jan 1, 2001 to Feb 28, 2010	Mar 1, 2010 to Feb 28, 2014
	Nissan/Infiniti, Subaru	Suzuki	Apr 1, 2006 to Feb 28, 2010	Mar 1, 2010 to Feb 28, 2014
	Volkswagen/Audi/ Porsche, BMW/Mini Cooper, Jaguar/Land Rover, Volvo	Mercedes-Benz/ Smart	Nov 29, 2004 to Oct 15, 2009	Oct 16, 2009 to Oct 15, 2013
Anti-Vibration Rubber Parts	Honda/Acura	Suzuki	Apr 1, 2003 to May 31, 2012	Jun 1, 2012 to May 31, 2016
	Toyota/Lexus, Nissan/Infiniti, Subaru	N/A	Jul 1, 1998 to May 31, 2012	Jun 1, 2012 to May 31, 2016
	General Motors (Pontiac Vibe only)	N/A	Jan 1, 2004 to Dec 31, 2004	Jan 1, 2005 to Dec 31, 2008
Autolights	Subaru, Honda/Acura, Nissan/Infiniti, Toyota/Lexus	Mitsubishi	Jul 1, 1998 to Jul 31, 2011	Aug 1, 2011 to Jul 31, 2015
	Mazda	N/A	Jul 1, 1998 to Jul 31, 2011	Aug 1, 2011 to Dec 4, 2014
Automotive Exhaust Systems	N/A	Hyundai/Kia	Jan 1, 2008 to Dec 31, 2011	Jan 1, 2012 to Dec 31, 2015

Class Action	Affected Vehicles		Event Period	Post Event Period
	Previously Included Vehicles	Newly Included Vehicles		
Braking Systems	BMW/Mini Cooper	Mercedes-Benz/ Smart	Feb 12, 2007 to Mar 18, 2011	Mar 19, 2011 to Dec 4, 2014
	VW/Audi/Porsche	N/A	Sept 29, 2010 to Jul 7, 2011	Jul 8, 2011 to Dec 4, 2014
Door Latches & Closure Systems	BMW/Mini Cooper (Sept 1, 2008 to Dec 4, 2014), Ford/Lincoln/ Mercury (Sept 1, 2008 to July 31, 2015)	Mercedes-Benz/Smart, BMW/Mini Cooper (Dec 5, 2014 to May 31, 2017), Ford/ Lincoln/Mercury (Aug 1, 2015 to May 31, 2017)	Sept 1, 2008 to May 31, 2013	Jun 1, 2013 to May 31, 2017
Ignition Coils	Chrysler/Dodge/Fiat/ Jeep/Ram, Honda/ Acura, Nissan/Infiniti	N/A	Jan 1, 2000 to Mar 1, 2010	Mar 2, 2010 to Mar 1, 2014
	Ford/Lincoln/Mercury, Toyota/Lexus, Subaru	N/A	Jul 1, 2003 to Feb 28, 2010	Mar 1, 2010 to Feb 28, 2014
	General Motors (Buick/Cadillac/ Chevrolet/ Daewoo/ GMC/ Hummer/Isuzu/ Oldsmobile/Pontiac/ Saab/Saturn)	N/A	Feb 22, 2006 to Dec 31, 2006	Jan 1, 2007 to Dec 31, 2010
	N/A	Hyundai/Kia	Jan 1, 2007 to Mar 31, 2010	Feb 1, 2010 to Mar 31, 2014
Instrument Panel Clusters	Honda/Acura	N/A	Dec 1, 2002 to Feb 28, 2010	Mar 1, 2010 to Feb 28, 2014
	N/A	Hyundai/Kia	Feb 1, 2008 to May 31, 2012	June 1, 2012 to May 31, 2016
	Toyota/Lexus	N/A	May 1, 2000 to Nov 30, 2009	Dec 1, 2009 to Nov 30, 2013
	General Motors (Pontiac Vibe only)	N/A	Jan 1, 2004 to Dec 31, 2004	Jan 1, 2005 to Dec 31, 2008
Shock Absorbers	Toyota/Lexus	Suzuki	Jul 1, 1998 to Aug 31, 2011	Sept 1, 2011 to Aug 31, 2015
	Subaru, Honda/Acura, Nissan/Infiniti	N/A	Jul 1, 1998 to Dec 31, 2012	Jan 1, 2013 to Sept 30, 2016

**No wrongdoing is alleged against the Automakers listed above. They are not defendants in these actions. The Automakers were unaware of any alleged price-fixing in respect of any of the automotive parts that they purchased for their automotive vehicles.**

There is significant overlap between the automobile brands involved in the Third Omnibus Distribution and the previously-approved Second Omnibus Distribution. An extensive notice program is ongoing in conjunction with the Second Omnibus Distribution. To avoid additional notice and administration costs, Settlement Class Members were advised in conjunction with the Second Omnibus Distribution that there would be no further opportunity to claim in respect of the vehicles covered by that distribution. As a result, Settlement Class Members may not file claims in the Third Omnibus Distribution in respect of vehicles that were previously covered by the Second Omnibus Distribution – i.e., no claims may be filed in this distribution in respect of the Previously Included Vehicles identified in the chart above.

Settlement Class Members who filed claims in the Second Omnibus Distribution and consented to their information being used in subsequent distributions will automatically be considered for compensation in respect of Previously Included Vehicles. Settlement Class Members who did not consent to their information being used in subsequent distributions will only be considered for compensation in respect of Previously Included Vehicles if they change their election. An email will be sent at the start of the claims process to provide an opportunity to change your election.

Thus, for the Third Omnibus Distribution, Settlement Class Members may only file claims with respect to Newly Added Vehicles (as defined in the chart above). Further notice will be provided when the claims process for the Third Omnibus Distribution begins. That notice will explain the process and deadline for filing a claim.

For more information and to view a copy of the proposed Third Omnibus Distribution Protocol (and an unofficial French translation thereof), visit [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts).

## **CLASS COUNSEL**

The law firms of Siskinds LLP, Sotos LLP, Camp Fiorante Matthews Mogerman LLP, Klein Lawyers LLP, and Siskinds Desmeules s.e.n.c.r.l., represent members of these class actions.

For more information, visit [www.siskinds.com/autoparts](http://www.siskinds.com/autoparts), email [autoparts@sotosllp.com](mailto:autoparts@sotosllp.com) or call 1.888.977.9806.

