

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

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

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

WHAT ARE THE CLASS ACTIONS ABOUT?

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

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

ELECTROLYTIC AND FILM CAPACITOR SETTLEMENTS

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

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

Rubycon has agreed to pay CAD \$7,300,000 for the benefit of the Electrolytic Settlement Class Members and CAD \$200,000 for the benefit of the Film Settlement Class Members.

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

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

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

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

SETTLEMENT APPROVAL HEARINGS

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

- the Ontario Superior Court of Justice on April 22, 2025 at 9:00 a.m., by virtual hearing;
- the Supreme Court of British Columbia on May 7, 2025 at 9:00 a.m., by virtual hearing; and
- the Superior Court of Québec on April 4, 2025 at 9:15 a.m., in person at 1 Notre Dame Street, Montréal, Québec, court room 17.09 and by virtual hearing.

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

DISTRIBUTION OF SETTLEMENT FUNDS

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

As the Class Actions remain ongoing and as further recoveries may be achieved, the Settlement Funds will not yet be distributed to Electrolytic or Film Settlement Class Members. At a future time, the courts will approve a process for the payment of claims to class members. A further notice will be provided at the time of distribution. **To receive future notices, register online at www.foremancompany.com/electrolytic-and-film-capacitors-class-actions.**

STATUS OF THE CLASS ACTIONS

The Matsuo and Rubycon settlements are the tenth and eleventh settlements entered into in the electrolytic capacitors matter. The Shizuki, Matsuo and Rubycon settlements are the ninth, tenth and eleventh settlements entered into in the film capacitors matter. The Class Actions continue against 2 groups of non-settling defendants in the electrolytic capacitors matter and 5 groups of non-settling defendants in the film capacitors matter.

SETTLEMENT APPROVAL AND LAWYERS’ FEES

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

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

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

If you wish to comment on or object to the settlements or the lawyer’s fees, you must deliver a written submission to one of the law firms listed below **by April 21, 2025**. The lawyers will forward any submissions to the appropriate court.

OPTING OUT OF THE PROCEEDINGS

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

MORE INFORMATION

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

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

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

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