

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

TO: All persons in Canada who purchased 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 a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014 (the “Film Settlement Class Members”).

If you bought an electronic device such as a computer, smartphone, gaming console, home appliance or television containing an electrolytic and/or film capacitor, you may be an Electrolytic and/or Film Settlement Class Member and your legal rights could be affected.

PLEASE READ THIS NOTICE CAREFULLY AS IT MAY AFFECT YOUR LEGAL RIGHTS.

1. WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people that has been “certified” or “authorized” by a Canadian court and determines “common issues” for the group of people known as the “class”.

2. WHAT ARE ELECTROLYTIC AND FILM CAPACITORS AND WHAT ARE THESE 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.

In 2014, class proceedings were initiated in Ontario, British Columbia and Québec on behalf of Canadians who purchased 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 Class Period”). In 2015 and 2016, separate class proceedings were initiated on behalf of Canadians who purchased a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014 (the “Film Class Period”) (together the “Class Actions”)

The Class Actions claim that the companies that sell aluminum or tantalum electrolytic capacitors and film capacitors were involved in unlawful conspiracies to fix, maintain or increase the prices of these products.

3. WHAT IS A SETTLEMENT AND WHAT SETTLEMENT HAS BEEN REACHED IN THESE CLASS ACTIONS?

What is a settlement?

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for having the case against it dismissed.

Settlement agreements have been reached in the Class Actions. The plaintiffs in the Class Actions have agreed to provide a combined notice of the settlements to class members in their respective proceedings.

What new settlements have been reached?

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 have agreed to provide cooperation to the plaintiffs in pursuing their claims against the non-settling defendants. In exchange, they will be provided with a full release of the claims against them in relation to 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 Film Settlement Class Members in respect of the Matsuo and Rubycon settlements and in Ontario and BC in respect of the Shizuki settlement.

The Settlement Approval Hearings

The settlements are subject to court approval. There will be settlement approval hearings in Ontario, British Columbia and Québec for the electrolytic capacitors matter in respect of the Matsuo and Rubycon settlements. There will also be a settlement approval hearing in Ontario for the film capacitors matter in respect of the Matsuo, Rubycon and Shizuki settlements and in BC in respect of the Shizuki settlement. These hearings are currently scheduled as follows:

- Before the Ontario Superior Court of Justice on April 22, 2025 at 9:00 a.m., by virtual hearing;

- Before the Supreme Court of British Columbia on May 7, 2025 at 9:00 a.m., by virtual hearing; and
- Before 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.

In considering the approval of the settlements, the courts will decide whether the settlements are fair, reasonable, and in the best interests of Electrolytic and Film Settlement Class Members.

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 to confirm the date and time of the hearing and for instructions and particulars on how to participate. Contact information for the lawyers can be found below. Please visit www.capacitorclassaction.ca for further information in advance of the settlement approval hearings.

Previous Settlements Reached

Previous settlements have been reached in the electrolytic capacitors matter with the TOKIN, Panasonic, ELNA, Holy Stone, ROHM, Fujitsu, KEMET, Nichicon and NCC/UCC defendants, valued collectively at CAD \$54,280,000 and in the film capacitors matter with the Okaya, Nitsuko, Panasonic, ELNA, Holy Stone, KEMET, Nichicon and NCC/UCC defendants, collectively valued at CAD \$3,167,000. These settlements have been approved by previous orders of the courts.

For more information about the settlements, please visit the settlement website at www.capacitorclassaction.ca.

4. WHO IS AFFECTED BY THE SETTLEMENT?

While the Class Actions were started in Ontario, British Columbia and Québec, they include persons in all provinces and territories in Canada who purchased an aluminum or tantalum electrolytic capacitor and/or film capacitor or a product containing an aluminum or tantalum electrolytic capacitor and/or a film capacitor.

The Electrolytic Settlement Class Members are: ***all persons in Canada who purchased 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 Film Settlement Class Members are: ***all persons in Canada who purchased a film capacitor or a product containing a film capacitor between January 1, 2002 and December 31, 2014.***

5. WHEN WILL THE SETTLEMENT AMOUNTS BE DISTRIBUTED?

The electrolytic settlement amount and film settlement amount, minus court-approved lawyers' fees, disbursements and applicable taxes, will be held in separate interest-bearing trust accounts with the previous settlement amounts, for the benefit of the 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 be distributed to Electrolytic or Film Settlement Class Members at this time. At a future time, the courts will approve a process for the payment of claims to class members. Watch for another notice explaining how to claim money from the settlements or **register online to receive future notices** at www.foremancompany.com/electrolytic-and-film-capacitors-class-actions.

6. WHAT IS THE STATUS OF THE CLASS ACTIONS AGAINST THE OTHER DEFENDANTS?

Matsuo and Rubycon are the tenth and eleventh defendants to enter into a settlement in the electrolytic capacitors matter. Shizuki, Matsuo and Rubycon are the ninth, tenth and eleventh defendants to enter into a settlement in the film capacitors matter. The Class Actions will 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.

In Québec, the class action with respect to electrolytic capacitors was authorized by the Superior Court of Québec on March 22, 2019. This means that the class action can proceed towards trial against the non-settling defendants and the common issues (as defined in the authorization judgment) will be determined in a single proceeding on behalf of all the members of the authorized class. A motion for certification of the Ontario electrolytic class action was heard by the Ontario Superior Court of Justice over several days between September 28, 2022 – October 7, 2022. On April 28, 2023, the Ontario Superior Court of Justice certified the Ontario electrolytic action. The non-settling defendants have sought leave to appeal the certification decision.

7. WHAT DO I NEED TO DO AT THIS TIME?

If you do not oppose the proposed settlements, you do not need to do anything.

If you want to tell the courts what you think about the proposed settlements or speak to the courts at the hearings mentioned above, you must send your written submissions to the lawyers working on the Class Actions **by April 21, 2025 at the latest**. Contact information for the lawyers can be found under heading 11 below. The lawyers will file all such submissions with the appropriate court.

8. OPT OUT DEADLINE PASSED ON OCTOBER 24, 2018

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 results of the Class Actions, including the Matsuo, Rubycon and Shizuki settlement agreements.

9. WHAT DO I HAVE TO PAY?

You do not have to pay the lawyers working on the Class Actions any money. The lawyers working on these Class Actions will be paid from the money collected in these Class Actions. The courts will be asked to decide how much the lawyers will be paid. While the respective retainer agreements permit a fee request of up to 30%, at this time the lawyers will collectively be asking that the courts approve legal 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. Any approved lawyers' fees, disbursements and applicable taxes may be paid out of the settlement amounts at that time.

If you wish to comment on or make an objection to lawyers' fees, a written submission must be delivered to the appropriate lawyers at the addresses listed below **by April 21, 2025, at the latest**. The lawyers will forward all such submissions to the appropriate court. If you do not file a written submission by the deadline, you might not be entitled to participate in the hearing, and your submission may not be brought to the attention of the courts.

10. WHAT IF THE SETTLEMENT AGREEMENT IS NOT APPROVED?

The certification/authorization orders for settlement purposes only are only valid if the settlements are approved by all three courts in Ontario, BC and Québec in respect of Matsuo and Rubycon and by the Ontario and BC courts in respect of Shizuki.

If the settlements, or either one of them, are not approved or otherwise fail to take effect, the certification/authorization for settlement purposes orders will not stand, and the litigation will continue against Matsuo, Rubycon and/or Shizuki in the Class Actions.

11. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS?

- **British Columbia:** CFM Lawyers ^{LLP} represents Electrolytic Settlement Class Members in British Columbia and can be reached at:

Toll free at 1-800-689-2322, by fax at 1-604-689-7554, by e-mail at info@cfmlawyers.ca or by mail at Suite 400, 856 Homer Street, Vancouver, British Columbia V6B 2W5, Attention: Sharon Wong.

- **Québec:** Belleau Lapointe, s.e.n.c.r.l. represents Electrolytic Settlement Class Members in Québec and can be reached at:

Toll free at 1-888-987-6701, by fax at 1-514-987-6886, by e-mail at info@belleaulapointe.com or by mail at 300, Place d'Youville, Bureau B-10, Montréal, Québec H2Y 2B6, Attention: Sofia Brault.

- **All other provinces and territories:** Foreman & Company represents Electrolytic Settlement Class Members in all provinces and territories other than British Columbia and Québec, and represents all Film Settlement Class Members in Canada. Foreman & Company can be reached:

Toll free at 1-855-814-4575 ext. 107, by fax at 1-226-884-5340, by e-mail at classactions@foremancompany.com or by mail at 4 Covent Market Place, London, Ontario N6A 1E2, Attention: Anni Barry.

To register to receive future notices, please visit:
www.foremancompany.com/electrolytic-and-film-capacitors-class-actions.

12. WHERE CAN I ASK MORE QUESTIONS?

This notice contains only a summary of the Matsuo, Shizuki and Rubycon settlements in the Class Actions. Electrolytic and Film Settlement Class Members are encouraged to review the complete settlement agreements. Copies of the settlement agreements (in English and French) can be downloaded from the settlement website at www.capacitorclassaction.ca. If you would like a copy of the settlement agreements or have questions that are not answered online, please contact the appropriate lawyers identified above. **Inquiries should not be directed to the courts.**

13. INTERPRETATION

This notice contains a summary of some of the terms of the Matsuo, Shizuki and Rubycon settlement agreements. If there is a conflict between the provisions of this notice and the settlement agreements, the terms of the settlement agreements shall prevail.