



Court File No. 3795/14 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE) MONDAY, THE 9th DAY
MR. JUSTICE RAIKES) OF MAY, 2022

B E T W E E N :

CYGNUS ELECTRONICS CORPORATION and SEAN ALLOTT

Plaintiffs

- and -

PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA;
PANASONIC CANADA INC.; SANYO ELECTRIC CO., LTD.; NEC TOKIN CORPORATION;
NEC TOKIN AMERICA INC.; KEMET CORPORATION; KEMET ELECTRONICS
CORPORATION; NIPPON CHEMI-CON CORPORATION; UNITED CHEMI-CON
CORPORATION; HITACHI CHEMICAL CO., LTD.; HITACHI CHEMICAL COMPANY
AMERICA, LTD.; HITACHI CANADA; NICHICON CORPORATION; NICHICON (AMERICA)
CORPORATION; AVX CORPORATION; RUBYCON CORPORATION; RUBYCON AMERICA
INC.; ELNA CO., LTD.; ELNA AMERICA INC.; MATSUO ELECTRIC CO., LTD.; TOSHIN
KOGYO CO., LTD.; SAMSUNG ELECTRO-MECHANICS; SAMSUNG ELECTRO-MECHANICS
AMERICA INC.; SAMSUNG ELECTRONICS CANADA INC.; ROHM CO., LTD.; ROHM
SEMICONDUCTOR U.S.A., LLC.; HITACHI AIC INC.; HITACHI CHEMICAL ELECTRONICS
CO., LTD.; FPCAP ELECTRONICS (SUZHOU) CO., LTD.; FUJITSU LTD.; FUJITSU CANADA,
INC.; HOLY STONE ENTERPRISE CO., LTD.; VISHAY POLYTECH CO., LTD. f/k/a
HOLYSTONE POLYTECH CO., LTD.; MILESTONE GLOBAL TECHNOLOGY, INC. d/b/a
HOLYSTONE INTERNATIONAL; and HOLY STONE HOLDINGS CO., LTD.

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992*

**ORDER
(Approval of Class Counsel Fees and Disbursements –
ELNA and HolyStone Settlements)**

THIS MOTION made by the Plaintiffs for an Order approving Class Counsel's legal fees, disbursements and applicable taxes, was heard March 21, 2022 at the Court House, 80 Dundas Street, London, Ontario.

AND ON READING the materials filed and on hearing the submissions of Class Counsel:

1. **THIS COURT ORDERS** that the request of Class Counsel for payment of legal fees of \$816,250 plus applicable taxes and disbursements of \$218,932.65 plus applicable taxes with respect to the settlement agreements entered into with ELNA Co., Ltd. and ELNA America, Inc. (collectively, "ELNA") dated June 4, 2021 (the "ELNA Settlement Agreement") and between the Plaintiffs and Holy Stone Enterprise Co., Ltd., Vishay Polytech Co., Ltd. f/k/a Holystone Polytech Co., Ltd., Milestone Global Technology, Inc., d/b/a Holystone International, Holy Stone Holdings Co. Ltd. and Vishay Intertechnology, Inc. (collectively "HolyStone") dated November 23, 2021 (the "HolyStone Settlement Agreement") is approved.
2. **THIS COURT ORDERS** that Class Counsel's legal fees, disbursements and applicable taxes are to be paid from the settlement funds, pursuant to the terms of the ELNA and HolyStone Settlement Agreements.
3. **THIS COURT ORDERS** that this Order is contingent upon approval of the ELNA and Holystone Settlement Agreements and approval of Class Counsel legal fees, disbursements, interest and applicable taxes by the Supreme Court of British Columbia and the Superior Court of Québec, and the terms of this Order shall not be effective unless and until such orders are made by the Supreme Court of British Columbia and the Superior Court of Québec.

Date: June 3, 2022



The Honourable Mr. Justice Raikes

CYGNUS ELECTRONICS
CORPORATION, et al.
Plaintiffs

v. PANASONIC CORPORATION, et al.
Defendants

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**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

ORDER

**(Approval of Class Counsel Fees and
Disbursements – ELNA and HolyStone Settlements)**

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