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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

IN RE CAPACITORS ANTITRUST
LITIGATION

THIS DOCUMENT RELATES TO:

ALL DIRECT PURCHASER ACTIONS

Master File No. 3:17-md-02801-JD
Case No. 3:14-cv-03264-JD

**~~PROPOSED~~ FINAL JUDGMENT OF
DISMISSAL WITH PREJUDICE AS TO
DEFENDANTS HITACHI CHEMICAL CO.,
LTD., HITACHI AIC, INC., AND HITACHI
CHEMICAL CO. AMERICA, LTD.**

The Court previously approved the settlement between Plaintiffs Chip-Tech, Ltd., Dependable Component Supply Corp., eIQ Energy, Inc., and Walker Component Group, Inc. (together, the “Direct Purchaser Plaintiffs” or “Plaintiffs”), individually and on behalf the Direct Purchaser Class they seek to represent, on the one hand, and Defendants Hitachi Chemical Co., Ltd., Hitachi AIC, Inc., and Hitachi Chemical Co. America, Ltd. (collectively, “Hitachi Chemical Defendants”), on the other, set forth in the Settlement Agreement dated November 30, 2017 (the “Settlement Agreement”). Dkt. No. 2166 in Case No. 14-cv-3264.

1 Accordingly, the Court enters this Judgment, which constitutes a final adjudication of this
2 case on the merits as to the Hitachi Chemical Defendants in accordance with the terms of the
3 Settlement Agreement.

4 **IT IS ORDERED, ADJUDGED AND DECREED THAT:**

5 1. The Court has jurisdiction over the subject matter of the Action and over all parties to
6 the Settlement Agreement, including all members of the Settlement Class.

7 2. The Court incorporates in this Final Judgment the definitions of terms set forth in the
8 Settlement Agreement [ECF No. 172-4] as though they were fully set forth in this Final Judgment.
9 Specifically, "Settlement Class," as defined in the Settlement Agreement, means all persons in the
10 United States that purchased Capacitors (including through controlled subsidiaries, agents, Affiliates
11 or joint ventures) directly from any of the Defendants, their subsidiaries, agents, Affiliates or joint
12 ventures from January 1, 2002 through July 22, 2015. Excluded from the Settlement Class are
13 (i) Defendants (and their subsidiaries, agents and Affiliates); (ii) Hitachi Chemical Defendants'
14 shareholders and their parents; (iii) each member of the Settlement Class who has timely requested
15 exclusion by "opting out"; and (iv) governmental entities.

16 3. The persons/entities identified in the "Summary of Entities Requesting Exclusion as
17 of May 3, 2018" attached as **Exhibit A**, have validly requested exclusion from the Class and,
18 therefore, are excluded, except that Arrow Electronics, Inc. and its affiliated entities did not request
19 to be excluded with respect to the settlement relating to the Hitachi Chemical Defendants and
20 therefore shall remain for purposes of this Final Judgment a member of the Settlement Class as to
21 the settlement by the Hitachi Chemical Defendants. Such persons and entities, and only such
22 persons and entities, are not included in or bound by this Final Judgment to the extent they have
23 requested exclusion from the settlement relating to the Hitachi Chemical Defendants.

24 4. This action is dismissed with prejudice as against the Hitachi Chemical Defendants,
25 each side to bear its own costs and attorneys' fees except as provided by the Settlement Agreement
26 and the Court's orders.

1 5. All persons and entities who are Releasors are hereby barred and enjoined from
2 commencing, prosecuting or continuing, either directly or indirectly, against the Releasees, in this or
3 any other jurisdiction, any and all claims, causes of action or lawsuits, which they had, have, or in
4 the future may have, arising out of or related to any of the Released Claims as defined in the
5 Settlement Agreement [ECF No. 172-4].

6 6. The Releasors hereby and forever release and discharge the Releasees with respect to
7 the Released Claims as defined in the Settlement Agreement [ECF No. 172-4].

8 7. Without affecting the finality of the Court's judgment in any way, the Court retains
9 continuing and exclusive jurisdiction over the Settlement and the Settlement Agreement, including
10 all future proceedings concerning the administration, interpretation, consummation, and enforcement
11 of the Settlement Agreement.

12 8. This document constitutes a final judgment and separate document for purposes of
13 Federal Rule of Civil Procedure 58(a).

14
15 IT IS SO ORDERED.

16 Dated: September 21, 2018
17 _____

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20 HON. JAMES DONATO
21 United States District Judge
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Exhibit A

Summary of Entities Requesting Exclusion as of May 3, 2018

Requesting Entity	Entity/Affiliate with Record of Transactions	Location
All American Semiconductor, Inc.	All American Semiconductor	San Jose, CA
	AASI Beneficiaries' Trust	Hollywood, CA
Acer Inc.	Acer Inc	San Jose, CA
Avnet, Inc.	Avnet, Inc.	Chandler, AZ
	Avnet	Phoenix, AZ
	Avnet, Inc.	Richardson, TX
	Interactive Technologies, Inc.	Cumming, GA
	Newark Electronics Corporation	Palatine, IL
	Premier Farnell Corp.	Chicago, IL
Benchmark Electronics, Inc.	Benchmark Electronics	Winona, MN
	Benchmark Electronics - Huntsville	Huntsville, AL
	Benchmark Electronics - N	Huntsville, AL
	Benchmark Electronics de Mexico	Huntsville, AL
	Benchmark Electronics, Inc.	Dunseith, ND
	Benchmark Electronics, Inc.	Angleton, TX
	EFTC Corporation	Phoenix, AZ
	Suntron Corporation	Phoenix, AZ
Dell Technologies, Inc.	Dell Computer Corporation	Round Rock, TX
	EMC Corporation	Hopkinton, MA
	Wyse Technology	Round Rock, TX
Flextronics International USA, Inc.	Dovatron	Clearwater, FL
	Flex Int'l / Fine Pitch Technology	Milpitas, CA
	Flextronics	Austin, TX
	Flextronics America NC	Charlotte, NC
	Flextronics International USA, Inc.	San Jose, CA
	Flextronics International Europe B.V.	Oostrum, Netherlands
	Solectron	Milpitas, CA
	Solectron Invotronics, Inc.	Laredo, TX
	Solectron Manufactura de Mexico - N	Tlajomulco de Zuñiga, Mexico
	Solectron / Lucent	Milpitas, CA
	Stellar Microelectronics, Inc.	Valencia, CA
Jaco Electronics, Inc.	Jaco Electronics, Inc.	Hauppauge, NY
Microsoft Mobile	Microsoft Mobile	Redmond, WA
	Nokia	Naperville, IL
	Nokia	San Diego, CA
Plexus Corp.	Plexus Corporation	Neenah, WI
	Plexus	Nampa, CA
	Plexus Corp	Appleton, WI
	Plexus Corp	Neenah, WI
	Plexus Services Corp - N	Neenah, WI
	Plexus Int Sales & Logistics	Neenah, WI
Tech 2000	Tech 2000	Vista, CA

Entities Requesting Partial Exclusion (Soshin only)

Arrow Electronics, Inc.	Arrow	Englewood, CO
	Arrow A/T-ArrowKitting	Reno, NV
	Arrow Electronics	Concord, ON Canada
	Arrow Electronics NV	Reno, NV
	Arrow/Rapac Ltd.	Petah-Tikva, Israel
	NIC Components Corporation	Englewood, CO
	Panamerica - Arrow - MX prod only	Englewood, CO
	Richardson Electronics Ltd.	La Fox, IL
	Tec/Arrow	Sao Paulo, Brazil