

NOTICE OF PROPOSED PARTIAL SETTLEMENT OF CLASS ACTION, FAIRNESS HEARING, AND RIGHT TO APPEAR

If you directly purchased aluminum, tantalum or film capacitors between January 1, 2002 and December 31, 2013, you could be affected by a Class Action Settlement.

Please read this notice carefully.

A federal court authorized this notice. This is not junk mail, an advertisement, or a solicitation from a lawyer.

- On November 14, 2018, the Honorable James Donato of the United States District Court for the Northern District of California entered an order certifying a class of direct purchaser plaintiffs (“Plaintiffs”) in a class action lawsuit involving alleged agreements among certain manufacturers to raise or stabilize the prices for aluminum, tantalum and film capacitors (“Capacitors”).
- Settlements totaling \$ 232,050,000 have been reached with defendants AVX Corp. (“AVX”); ELNA Co., Ltd., and ELNA America Inc. (collectively “ELNA”); Holy Stone Enterprise Co., Ltd., Milestone Global Technology, Inc. (D/B/A HolyStone International) and Vishay Polytech Co., Ltd. (collectively, “Holy Stone”); KEMET Corporation and KEMET Electronics Corporation (collectively, “KEMET”); Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO North America Corporation (collectively “Panasonic”); Shinyei Kaisha, Shinyei Technology Co., Ltd., Shinyei Capacitor Co., Ltd. and Shinyei Corporation of America, Inc. (collectively, “Shinyei”); Shizuki Electric Co., Inc. (“Shizuki”); and Taitso Corporation and Taitso America, Inc. (collectively “Taitso”; AVX, ELNA, Holy Stone, KEMET, Panasonic, Shinyei, Shizuki and Taitso collectively, the “Settling Defendants”) in partial settlement of the class action lawsuit (the “Settlement Agreements”). The Settling Defendants expressly deny Plaintiffs’ allegations. Under its settlement, Panasonic also agrees to assist Plaintiffs in the ongoing litigation against the Non-Settling Defendants, listed below, by providing cooperating witnesses and information.
- The lawsuit is continuing against defendants that have not previously settled. These defendants include Nippon Chemi-Con Corporation; United Chemi-Con, Inc.; Matsuo Electric Co., Ltd.; TOSHIN KOGYO Co., Ltd.; and Nissei Electric Co., Ltd.; which are collectively referred to as the “Non-Settling Defendants.” Plaintiffs previously entered into settlements, some of which the Court has already approved, with Defendants Fujitsu Ltd.; Hitachi Chemical Co., Ltd.; Hitachi AIC, Inc.; Hitachi Chemical Co. America, Ltd.; NEC Tokin Corporation; NEC Tokin America, Inc.; Nitsuko Electronics Corporation; Okaya Electric Industries Co., Ltd.; Okaya Electric America, Inc.; Nichicon Corporation; Nichicon (America) Corporation; ROHM Co., Ltd.; ROHM Semiconductor U.S.A., LLC; Rubycon Corporation; Rubycon America Inc.; Soshin Electric Co., Ltd.; and Soshin Electronics of America Inc.; which are collectively referred to as the “Previously Settled Defendants.” Settling Defendants, the Previously Settled Defendants, and the Non-Settling Defendants are referred to collectively as the “Defendants.”
- You are a settlement class member (“Settlement Class Member”) if you are a person in the United States that purchased Capacitors (including through controlled subsidiaries, agents, affiliates, or joint ventures) directly from any of the Defendants, their subsidiaries, agents, affiliates, or joint ventures from January 1, 2002, through December 31, 2013 (the “Class Period”), and you are (a) inside the United States and were billed or invoiced for capacitors by one or more Defendants during the Class Period (i.e., where capacitors were “billed to” persons within the United States); or (b) outside the United States and were billed or invoiced by one or more Defendants during the Class Period, where such capacitors were imported into the United States by one or more Defendants (i.e., where the capacitors were “billed to” persons outside the United States but “shipped to” persons within the United States). Excluded from the Settlement Class are (i) Defendants (and their subsidiaries, agents, and affiliates); (ii) shareholders holding more than 10% equity interest in AVX as of March 12, 2020; ELNA as of February 28, 2020; Holy Stone as of February 26, 2020; KEMET as of November 8, 2019; Panasonic as of February 19, 2020; Shinyei as of February 28, 2020; Shizuki as of November 19, 2019; or Taitso as of March 1, 2020; (iii) each member of the Settlement Class that timely requests exclusion by “opting out”; (iv) governmental entities; and (v) the judges and chambers staff in this case, including their immediate families. Also excluded from the Settlement Class are those who filed a timely opt out of the litigation class in accordance with the terms of the 2019 Notice of Certification of Class of Direct Purchasers of Capacitors.
- If you are a Settlement Class Member, you are included in the partial settlements with the Settling Defendants. You are also included in the continuing lawsuit against the Non-Settling Defendants, unless you filed a timely opt out of the litigation class in accordance with the terms of the 2019 Notice of Certification of Class of Direct Purchasers of Capacitors.
- Please read this Notice carefully. Your legal rights will be affected whether you act or do not act. You now have to make a choice to preserve your legal rights.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS

<p>DO NOTHING</p>	<p>Get no payment from the Settling Defendants. Give up your rights to ever recover from the Settling Defendants for the legal claims in this case if the partial settlements are finally approved.</p> <p>You will remain a class member in the lawsuit against the Non-Settling Defendants—unless you filed a timely opt out of the litigation class in accordance with the terms of the 2019 Notice of Certification of Class of Direct Purchasers of Capacitors—and keep the possibility of getting money or other benefits from the Non-Settling Defendants that may come from trial or settlement.</p> <p>You do not need to take additional action to remain in the Class or be a part of the ongoing lawsuit against the Non-Settling Defendants. There is no money available now from any of the Non-Settling Defendants, and there is no guarantee there will be. The outcome of the continuing class action lawsuit against the Non-Settling Defendants is unknown. You will receive other notices from the Court when there are other important developments that may require you to make a decision or take action.</p>
<p>SUBMIT A CLAIM FORM FOR YOUR SHARE(S) OF THE PARTIAL SETTLEMENTS</p>	<p>Completing and submitting a Claim Form by August 28, 2020 is the only way to receive money from the partial settlements with the Settling Defendants when the funds are distributed. The Claim Form is attached to this Notice.</p> <p>As explained below, Class Counsel (as this term is defined in Question 17) may make one or more distribution(s) of money received in the partial settlement with the Settling Defendants, and in any future settlements with Non-Settling Defendants.</p>
<p>EXCLUDE YOURSELF FROM THE PARTIAL SETTLEMENTS</p>	<p>Get no payment from the Settling Defendants with respect to one or more of the partial settlements (or portions thereof). Opting out of the settlement class with respect to one or more of the Settling Defendants is the only way that you can file or continue your own lawsuit concerning the legal claims in this case against one or more of the Settling Defendants as to which you opt out.</p> <p>If you exclude yourself from one or more the partial settlements, you still will remain in the proposed Class in the continuing class action lawsuit against the Non-Settling Defendants. If you exclude yourself from the partial settlements only as to some, but not all, of the Settling Defendants, you will remain in the Settlement Class with respect to the other Settling Defendants.</p>
<p>OBJECT TO OR COMMENT ON THE PARTIAL SETTLEMENTS</p>	<p>Following the instructions in Question 23, write to the Court about why you like or do not like the settlements with the Settling Defendants by no later than August 28, 2020. You may also ask to speak to the Court about your written comments or objections about the fairness of the settlement and the request for litigation fees and expenses at the “Fairness Hearing” on September 17, 2020, though you do not have to do so. To comment on or object to the partial settlements and the request for litigation fees and expenses, or to speak at the Fairness Hearing, you must act before August 28, 2020.</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.</p>
<p>GO TO THE COURT’S FAIRNESS HEARING ABOUT THE PARTIAL SETTLEMENT.</p>	<p>If you prefer, you may ask to speak in Court about the fairness of the partial settlements and the request for litigation fees and expenses if you follow the instructions in Questions 23 and 24 of this Notice.</p> <p>You do not need to speak to the Court to receive the benefits of the partial settlements.</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.</p>

- **This Notice explains your legal rights and options—and the deadlines to exercise them.**
- **The Court in charge of this case still has to decide whether to approve the settlements with the Settling Defendants. Payments will be made if the Court approves the settlements, and after appeals, if any, are resolved, and after the Court orders that the Settlement Fund (as described in Question 12 below) be distributed. Please be patient. Please do not call the Court or the court clerk’s office directly.**
- **The outcome of the class action lawsuit against the Non-Settling Defendants is not yet known. You will be notified if money or benefits are obtained from any of the Non-Settling Defendants through settlement(s) or trial.**
- **This is not a lawsuit against you.**
- **This notice summarizes the proposed settlements with AVX, ELNA, Holy Stone, KEMET, Panasonic, Shinyei, Shizuki and Taitso. For the precise terms and conditions of the settlements, please see the Settlement Agreements available at www.capacitorsantitrustsettlement.com, by contacting Class Counsel at (415) 500-6800, by accessing the Court docket in this case through the Court’s Public Access to Court Electronic Records (PACER) system at <https://ecf.cand.uscourts.gov>, or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, California, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.**

PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THE SETTLEMENT OR THE CLAIMS PROCESS.

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BASIC INFORMATION

1. Why did I receive this Notice?

You have received this Notice because Defendants' records show you may have directly purchased Capacitors from one or more Defendant(s) or from a subsidiary, agent, affiliate or joint venture of a Defendant from January 1, 2002, through December 31, 2013.

The Court sent you this Notice for the following reason:

Class Members have the right to know about the partial settlement of a class action lawsuit, and about their legal rights and options, before the Court holds a Fairness Hearing to decide whether to grant final approval to the settlement.

This Notice explains the lawsuit, the partial settlements, and your legal rights. It also explains what benefits from the partial settlements are available at this time, who is eligible to participate, and how to share in the settlements. If the Court approves the partial settlements, and after any objections and appeals are resolved, Class Counsel will disburse the Settlement Fund (as described in Question 12 below) in one or more distributions at a time to be determined by the Court.

The Court has preliminarily approved the partial settlements. If you are a Settlement Class Member, you have legal rights and options that you may exercise before the Court considers whether it will grant final approval to the proposed partial settlements at the Fairness Hearing. The Court will hold the Fairness Hearing on September 17, 2020 at 10:00 a.m. to decide whether the proposed partial settlement with each of the Settling Defendants is fair, reasonable, and adequate. The Court will also consider Class Counsel's request for payment of attorneys' fees and reimbursement of litigation expenses.

If you wish to comment on (including object to) or exclude yourself from one or more of the partial settlements, you must do so by following the procedures described below. If you do nothing, you will not receive any money from the partial settlements, but you will nevertheless be bound by any final judgment concerning the Settling Defendants.

2. What is this lawsuit about?

The lawsuit claims that Defendants entered into agreements to artificially raise, fix, or stabilize the prices of aluminum, tantalum, and film capacitors ("Capacitors") in violation of federal antitrust law. Each of the Defendants, including the Settling Defendants, expressly denies that it violated any laws or engaged in any wrongdoing, except that: (a) on January 21, 2016, NEC TOKIN Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (b) on June 9, 2016, Hitachi Chemical Co., Ltd. pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (c) on October 11, 2017, ELNA Co., Ltd. and Holy Stone Holdings Co., Ltd. pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (d) on October 12, 2017, Rubycon Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (e) on October 25, 2017, Matsuo Electric Co., Ltd. pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (f) on November 8, 2017, Nichicon Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; and (g) on May 30, 2018, Nippon Chemi-Con Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors.

The Court has previously approved settlements of Plaintiffs' claims against: Fujitsu Ltd.; Hitachi Chemical Co., Ltd.; Hitachi AIC, Inc.; Hitachi Chemical Co. America, Ltd.; NEC Tokin Corporation; NEC Tokin America, Inc.; Nichicon Corporation; Nichicon (America) Corporation; Nitsuko Electronics Corporation; Okaya Electric Industries Co., Ltd.; Okaya Electric America, Inc.; ROHM Co., Ltd.; ROHM Semiconductor U.S.A., LLC; Rubycon Corporation; Rubycon America Inc.; Soshin Electric Co., Ltd.; and Soshin Electronics of America Inc.

To obtain more information about the claims in this lawsuit, you can view the complaint and other court documents in this case at www.capacitorsantitrustsettlement.com.

3. Why is this a class action, and who is involved?

In a class action lawsuit, one or more people called "Named Plaintiffs" or "Class Representatives" sue on behalf of other people who have similar claims. The people and companies with similar claims together are a "Class" and each is called a "Class Member." In a class action, the court resolves the issues for all Class Members, except for those who exclude themselves (or "opt-out") from the Class.

4. Why are there settlements?

The Court has not yet found in favor of Plaintiffs or Defendants. While the lawsuit is still pending before the United States District Court, Plaintiffs and the Settling Defendants have agreed to settlements that, if approved, will bring the claims against the Settling Defendants to an end. This way, Plaintiffs and the Settling Defendants avoid the uncertainty of continuing the case between them. They also avoid the cost and delay of further litigation, and Settlement Class Members will receive the benefits of the settlement.

5. Why are the settlements "partial"?

Although the settlements with the Settling Defendants fully resolve the Settlement Class Members' claims against the Settling Defendants (*see* response to Question 16), the settlements only partially resolve the case, which will continue against the Non-Settling Defendants (*see* response to Question 6). For this reason, the settlements with the Settling Defendants are partial settlements.

6. Why is the lawsuit continuing if there are settlements?

The Settling Defendants have agreed to settle this case. Previously, other Defendants have settled (*see* response to Question 2). The remaining Defendants have not agreed to settle, so the lawsuit will continue as a class action against them. More money may become available in the future as a result of additional settlements with (or a trial against) the Non-Settling Defendants, but there is no guarantee that will happen.

7. What happens if Plaintiffs later reach a settlement with the Non-Settling Defendants?

The lawsuit will continue as a proposed class action against the Non-Settling Defendants on behalf of all Class Members. It is unknown whether Plaintiffs will obtain settlements with, or prevail at trial against, the Non-Settling Defendants. If there are additional settlements in the future, there will be notice of those settlements as well.

WHO HAS THE RIGHT TO PARTICIPATE IN THE PARTIAL SETTLEMENTS AND THE CLASS ACTION LAWSUIT?

8. Am I a Class Member who is part of the partial settlements and the ongoing class action lawsuit against the Non-Settling Defendants?

In general, direct purchasers of Capacitors are Class Members, *i.e.*, persons or entities (a) that are eligible for a payment from the proposed settlement when the funds are distributed, if they meet the following definition:

All persons (including individuals, companies, or other entities) that purchased Capacitors (including through controlled subsidiaries, agents, affiliates, or joint ventures) directly from any of the Defendants, their subsidiaries, agents, affiliates, or joint ventures from January 1, 2002 to December 31, 2013 (the “Class Period”), and such persons are: (a) inside the United States and were billed or invoiced for capacitors by one or more Defendants during the Class Period (*i.e.*, where capacitors were “billed to” persons within the United States); or (b) outside the United States and were billed or invoiced for capacitors by one or more Defendants during the Class Period, where such capacitors were imported into the United States by one or more Defendants (*i.e.*, where the capacitors were “billed to” persons outside the United States but “shipped to” persons within the United States).

Excluded from the Settlement Class are: (1) Defendants (and their subsidiaries, agents, and affiliates); (2) shareholders holding more than 10% equity interest in Defendants; (3) each member of the Settlement Class that timely requests exclusion by “opting out”; (4) governmental entities; and (5) the judges and chambers staff in this case, including their immediate families.

Also excluded from the Settlement Class are those that effectively excluded themselves in accordance with the terms of the 2019 Notice of Certification of Class of Direct Purchasers of Capacitors.

In 2019, the Court certified a litigation class with respect to the ongoing class action lawsuit. The period for opting out of the litigation class has ended. Persons (as defined above) who did not file a timely opt out of the litigation class are deemed Class Members and will be bound by any future settlements or trial.

9. I am still not sure if I am included.

If you received this Notice, it is because you were listed as a potential Settlement Class Member. If you are still not sure whether you are included, you can get help by calling Class Counsel at (415) 500-6800.

10. Does it make a difference whether I purchased Capacitors from the Settling Defendants or a Non-Settling Defendant?

No. As long as you fall within the definition of the Settlement Class in Question 8 above, you can participate in the partial settlements, and the ongoing lawsuit against the Non-Settling Defendants, regardless of the specific Defendant from which you purchased Capacitors.

11. What are my rights as a Settlement Class Member?

You may submit a Claim Form for a payment from the Settlement Fund (*see* Question 14). Or, you may exclude yourself from one or more of the settlements (*see* Question 20). You may also comment on or object to the proposed partial settlement and the request for fees and litigation expenses (*see* Question 20). You may also attend the Court’s Fairness Hearing to speak in support of, or against, the Court’s final approval of the proposed partial settlements and the request for fees and litigation expenses. You may also choose to do nothing—which would result in no payment to you for the partial settlements (*see* Question 26).

THE SETTLEMENT BENEFITS

12. What do the partial settlements provide?

The Settling Defendants have agreed to pay funds into an Escrow Account for the benefit of Plaintiffs and the Settlement Class. Counsel will use the Escrow Account for reimbursement of such fees and expenses related to the provision of notice to the Class Members.

The Settling Defendants have agreed to pay into the Escrow Account for the benefit of Plaintiffs and the Settlement Class the following (the “Settlement Fund”):

- AVX has agreed to pay \$65,000,000.
- ELNA has agreed to pay \$25,000,000.

- Holy Stone has agreed to pay \$28,000,000.
- KEMET has agreed to pay \$62,000,000.
- Panasonic has agreed to pay \$45,000,000.
- Shinyei has agreed to pay \$2,950,000.
- Shizuki has agreed to pay \$1,000,000.
- Taitso has agreed to pay \$3,100,000.

In addition, Panasonic has agreed to assist Plaintiffs in the ongoing litigation against the Non-Settling Defendants by providing cooperating witnesses and information. Plaintiffs' counsel appointed by the Court, the Joseph Saveri Law Firm, Inc., will ask the Court to approve a deduction of \$200,000 from the Settlement Fund to reimburse expenses for notifying Settlement Class members of the settlement.

As a Settlement Class Member, you will give up, or "release," claims against the Settling Defendants. This release includes any claims made or that could have been made arising from the facts alleged in this class action lawsuit relating to the Settling Defendants' sales of Capacitors that were either billed to or shipped to the United States. The releases are described in more detail in the Settlement Agreements and in Question 16 below. You can view or download copies of the Settlement Agreements at the website www.capacitorsantitrustsettlement.com.

13. How much money can I get from the partial settlements?

Settlement Class Members who submit a Claim Form will be eligible to receive a share of the Settlement Fund based on an allocation formula (the "Allocation Formula") utilizing each Settlement Class Member's proportionate share of tantalum, aluminum, and film capacitors ("Capacitors") directly purchased from Defendants from January 1, 2002 through December 31, 2013 (the "Class Period") that were either billed or shipped to a location within the United States. Under the Allocation Formula, each Settlement Class Member submitting a valid Claim Form would be entitled to receive an amount calculated by multiplying (a) the net amount in the Settlement Fund (after deducting all Court-approved expenses, fees, and administrative costs) by (b) a quotient calculated by dividing (i) the total amount of Capacitors purchased directly from Defendants that were billed or shipped to a location within the United States during the Class Period by the specific Settlement Class Member submitting a valid Claim Form, with (ii) the total amount of Capacitors purchased directly from Defendants that were billed or shipped to a location within the United States during the Class Period by all Settlement Class Members submitting valid Claim Forms.

SUBMITTING A CLAIM FORM FOR A SHARE OF THE PARTIAL SETTLEMENTS

14. How can I get money from the partial settlements?

To receive money from the partial settlements, you must complete and submit a Claim Form, either online at www.capacitorsantitrustsettlement.com, or by mail. A copy of the Claim Form is included with this Notice. Please read this Notice and the accompanying Claim Form carefully. If any of the Defendants in this case have a record of you purchasing qualifying Capacitors from them that were billed or shipped to a location within the United States during the Class Period (*i.e.*, between January 1, 2002 through December 31, 2013, inclusive), you will be mailed a Claim Form for your review that includes details about these purchases. You can either approve the purchase information on your Claim Form, or, if you disagree with this information, you can submit records of your purchases.

You must complete and submit the Claim Form online no later than August 28, 2020, or complete the included Claim Form manually, sign it, and mail it postmarked no later than August 28, 2020, to the Notice and Claims Administrator at the address listed in Question 28 of this Notice. If necessary, you may download and print out a Claim Form from the website www.capacitorsantitrustsettlement.com. If you have any problems with the Claim Form or questions about how to submit your claim, please call the Notice and Claims Administrator at the telephone number printed at the bottom of this page.

If you fall within the Settlement Class Member definition, you may receive money from the partial settlements.

15. When will I get my payment(s)?

As noted above, the Court is scheduled to hold a final Fairness Hearing on September 17, 2020 at 10:00 a.m. to decide whether to approve the proposed partial settlements and the request for the payment of attorneys' fees and the reimbursement of litigation expenses. The Court may reschedule the Fairness Hearing or change any of the deadlines described in this Notice. Please check the settlement website, www.capacitorsantitrustsettlement.com, or the Court's PACER site at <https://ecf.cand.uscourts.gov> to confirm that the date has not changed, or for news of any such changes.

Settlement payments to Settlement Class Members will be distributed after one or more of the settlements are approved, and after appeals, if any, are resolved in the Settlement Class's favor. Class Counsel will remit the funds, through the Notice and Claims Administrator, in one or more distributions that may include future settlements with Non-Settling Defendants.

Updates regarding the partial settlements and when payments may be made will be posted on the settlement website, www.capacitorsantitrustsettlement.com.

16. What am I giving up to receive payment(s) under the partial settlements?

If you are a Settlement Class Member, unless you exclude yourself from one or more of the settlements with the Settling Defendants, you will remain in the Settlement Class, and that means that you cannot sue, continue to sue, or be part of any other lawsuit against the Settling Defendants about the legal claims in this case. It also means that all of the Court's orders will apply to you and legally bind you, and that you agree to the "Releases of Claims" specifically set forth in the Settlement Agreements with AVX, ELNA, Holy Stone, KEMET, Panasonic, Shinyei, Shizuki and Taitso available on the settlement website, www.capacitorsantitrustsettlement.com.

In general (and subject to the precise terms as set forth in the Settlement Agreements), upon one or more of the Settlement Agreements becoming effective, the Named Plaintiffs and Settlement Class Members who did not otherwise properly and timely exclude themselves (“Releasers”) agree that the Settling Defendants and their officers, directors, employees, managers, members, partners, agents, attorneys and legal representatives, predecessors, successors, heirs, and affiliates (“Releasees”) shall be completely released, acquitted, and forever discharged from any and all manner of claims, demands, rights, actions, suits, and causes of action, whether class, individual, or otherwise in nature, damages whenever incurred, liabilities of any nature whatsoever, including costs, expenses, penalties, injuries, and attorneys’ fees that Releasers, or any one of them, whether directly, representatively, derivatively, or in any other capacity, ever had, now have, or hereafter can, shall, or may have against the Releasees, whether known or unknown, relating in any way to any conduct by Releasees alleged in the Action and any joint and several liability arising from the conduct of any of the Defendants in the Action prior to the Effective Date arising under or relating to any federal or state antitrust laws, unfair competition, unfair practices or trade practice laws, civil conspiracy, or common law or statutory fraud claims, whether such claims are known or unknown, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, actual or contingent, liquidated or unliquidated, regardless of legal theory and regardless of the type or amount of relief or damages claimed, including any claims arising out of, resulting from or in any way related to any conduct regardless of where it occurred at any time prior to December 31, 2013, concerning the purchase, pricing, selling, invoicing, discounting, marketing, manufacturing or distributing of Capacitors in the United States and its territories or for delivery in the United States and its territories. The Released Claims also include, but are not limited to, all claims asserted or which could have been asserted in this litigation relating to or arising out of the facts, occurrences, transactions, statements, or other matters alleged in this litigation including, but not limited to, claims arising under federal or state antitrust, unfair competition, unfair practices, price discrimination, unitary pricing, trade practice, or civil conspiracy law, including without limitation the Sherman Act, 15 U.S.C. § 1 *et seq.*, but only to the extent they concern the purchase, pricing, selling, invoicing, discounting, marketing, manufacturing or distributing of Capacitors in the United States and its territories or for delivery in the United States and its territories. The released claims do not include any claim for any product defect, breach of warranty, breach of contract, claim under the Uniform Commercial Code, claim for personal or bodily injury, or claims based on indirect purchases of Capacitors.

To view the legally binding terms about the scope of the Released Claims, please refer to the proposed Settlement Agreements, which are available at www.capacitorsantitrustsettlement.com.

By participating in the partial settlements, you are not giving up your rights against the Non-Settling Defendants.

THE LAWYERS REPRESENTING YOU

17. Who represents me in this case?

The Court appointed the following law firm as Lead Class Counsel (also referred to as “Plaintiffs’ Counsel” or “Class Counsel”) to represent the Class:

Joseph R. Saveri
JOSEPH SAVERI LAW FIRM, INC.
601 California Street, Suite 1000
San Francisco, CA 94108
(415) 500-6800
jsaveri@saverilawfirm.com

18. Should I get my own lawyer?

You do not need to hire your own lawyer, because Plaintiffs’ Counsel are working on your behalf. If you want your own lawyer, you may hire one, but you will be responsible for any payment for that lawyer’s services. For example, you can ask your lawyer to appear in Court for you if you want someone other than Plaintiffs’ Counsel to speak for you. You may also appear for yourself without a lawyer.

19. How will the lawyers be paid?

At the Fairness Hearing, Plaintiffs’ Counsel will seek payment of \$69,615,000 (30% of the Settlement Fund) for legal fees for the work they have done in this case and \$9,500,000 (approximately 3.6% of the Settlement Fund), for reimbursement of their reasonable litigation expenses, principally expert witness expenses. If the Court awards these payments, they will be made from the Settlement Fund along with administrative fees and expenses related to the provision of notice to the Class Members, processing of Claim Forms, and distributing Settlement Funds to the Settlement Class Members submitting valid Claim Forms.

You personally do not have to pay any of Class Counsel’s fees, costs, or expenses.

EXCLUDING YOURSELF FROM THE SETTLEMENTS

20. How do I opt out of the settlements?

If you fall within the Settlement Class Member definition (*see* Question 8) but wish to keep the right to sue or continue to sue one or more of the Settling Defendants (at your own expense) about the legal issues in this case, then you must take steps to remove yourself from the Settlement Class. This is called excluding yourself from, or opting out of, the settlements. Opting out of the Settlement Class for purposes of the partial settlements described in this notice will not affect your status as a member of the litigation Class for purposes of the continuing litigation against the Non-Settling Defendants. You may also opt-out of the Settlement Class with respect to one or more of the Settling Defendants but choose to remain in the Settlement Class with respect to the other Settling Defendants.

To exclude yourself from (or opt out of) one or more of the partial settlements with the Settling Defendants, you must send an Opt-Out Request letter to the Notice and Claims Administrator at the address below indicating that you want to be excluded from the Settlement Class in *In re Capacitors Antitrust Litigation*; stating your full legal name, address, and telephone number; providing a statement that you purchased Capacitors directly from one or more Defendants; and identifying the settlement(s) from which you wish to opt out.

You must include the following statement with your Opt-Out Request Letter: "I want to be excluded from the Capacitors Antitrust Litigation class action settlement with [*SPECIFY THE NAME OF EACH SETTLING DEFENDANT FOR WHOSE SETTLEMENT YOU WISH TO EXCLUDE YOURSELF*]. I understand that by so doing, I will not be able to get any money or benefits from the settlement with that/those Settling Defendant(s) in this case." This Opt-Out Request Letter must be signed and dated and include your telephone number.

If you request to be excluded from one or more of the partial settlements with Settling Defendants, you will not be legally bound by the settlement(s) with that/those Settling Defendant(s). You will be able to sue (or continue to sue) that/those Settling Defendant(s) in the future about the legal claims in this case.

If you ask to be excluded from one or more of the settlements with the Settling Defendant(s), you will not get any payment from that settlement with respect to the Settling Defendant(s), and you cannot object to that settlement.

Exclusion/Opt-Out Request Mailing Information:

To exclude yourself from one or more of the settlements with Settling Defendant(s), you must submit your Opt-Out Request Letter postmarked via First Class United States Mail (or United States Mail for overnight delivery) no later than August 28, 2020, (or received by the Notice and Claims Administrator by that date if sent by fax or e-mail) at the following address:

Notice and Claims Administrator
Capacitors Antitrust Direct Purchaser Litigation Settlement - 6985
P.O. Box 2563
Faribault, MN 55021-9563

You cannot exclude yourself (opt out) by telephone.

21. If I do not exclude myself, can I sue the Settling Defendants for the same thing later?

No. If you are a Settlement Class Member, unless you exclude yourself from one or more of the settlements with one or more of the Settling Defendants, you give up the right to sue all of the Settling Defendants for the claims that the partial settlements resolve as more fully described in Question 16 above.

If you have a pending lawsuit against any of the Defendants, speak to your lawyer in that lawsuit immediately, because you may need to exclude yourself from the Settlement Class to continue your own lawsuit. The process for excluding yourself from the settlements is described in the preceding section.

22. If I exclude myself, can I get money from this case?

Yes and no. If you exclude yourself from one or more of the settlements with one or more of the Settling Defendants, you will not receive money under that/those settlement(s) even if you submit a Claim Form. You will, however, remain eligible for payment relating to any settlement(s) from which you did not opt out. You will also remain eligible to a share of the money recovered, if any, from Non-Settling Defendants in the future.

COMMENTING ON OR OBJECTING TO THE SETTLEMENTS

23. How do I tell the Court that I like or do not like the proposed settlements, and may I speak at the hearing?

You can ask the Court to deny approval by filing an objection. You cannot ask the Court to order a different settlement; the Court can only approve or reject the settlement. If the Court denies approval, no settlement payments will be sent out and the lawsuit will continue. If that is what you want to happen, you must object.

Any objection to the proposed settlements must be in writing. If you file a timely written objection, you may, but are not required, to appear at the Fairness Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number (*In re Capacitors Antitrust Settlement*, Case Nos. 17-md-02801-JD, 14-cv-03264-JD (N.D. Cal.)), (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California, and (c) be filed or postmarked on or before August 28, 2020.

Be sure to include:

- Your name, address, telephone number, email address and signature.
- A statement signed under penalty of perjury that you are a member of the Class.
- A detailed statement of your comment(s) or objection(s), including the grounds for your objection(s), if any, together with any documents you think support it.

You do not need to attend or speak at the Fairness Hearing (described in Question 24 below) for your comments or objections to be considered. If you would like to speak at the Fairness Hearing about your comments or objections to the settlements, you must add to your objection a statement that you intend to appear and speak at the hearing (for example, by stating "This is my Notice of Intention to Appear in *In re Capacitors Antitrust Litigation*.").

You will have no right to speak at the Fairness Hearing about these settlements if you choose to exclude yourself from the settlements, because a settlement no longer affects you if you opt out of it.

THE COURT'S FAIRNESS HEARING

24. When and where will the Court decide whether to approve the partial settlements?

The Court will hold a Fairness Hearing on September 17, 2020 at 10:00 a.m. in Courtroom 11, on the 19th Floor of the United States District Court located at 450 Golden Gate Avenue in San Francisco, California.

At the Fairness Hearing, the Court will consider the proposed settlements with the Settling Defendants and determine whether each is fair, reasonable, and adequate. The Court will also consider the request for attorneys' fees and litigation expenses, and for payment of other administrative expenses. If there are written comments or objections, the Court will consider them. The Court will decide whether to allow people who have raised objections or comments to speak at the hearing. After the Fairness Hearing, the Court will separately decide whether to approve the partial settlements.

The Court may reschedule the Fairness Hearing or change any of the deadlines described in this Notice. Please check the website, www.capacitorsantitrustsettlement.com, for news of any such changes.

25. Do I have to come to the Fairness Hearing?

No. Class Counsel will be present at the Fairness Hearing to answer any questions the Court may have. You are welcome to come at your own expense. If you send comments or objections to the proposed settlements, you do not have to come to Court to talk about them. If you mailed your written comments or objections on time, the Court will consider them. You may also pay your own lawyer to attend, but such attendance is not necessary.

IFYOU DO NOTHING

26. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will receive no money from the partial settlements with the Settling Defendants and you will continue to be a Settlement Class Member with respect to future settlements or trial. Any claims you might have against the Settling Defendants for the allegations in this case relating to Capacitors that were billed to or shipped to the United States will be released. This means that if you do nothing, you will not be able to collect any damages from the Settling Defendants for the alleged agreements to raise, maintain, or stabilize the prices of Capacitors as alleged in this lawsuit (or any other lawsuit) relating to Capacitors that were billed to or shipped to the United States, or in any other lawsuit. You will not receive money from the partial settlements unless you submit a Claim Form (by following the instructions in Question 14). To qualify to receive any money from the settlements with the Settling Defendants, you must submit a Claim Form and follow the instructions in Question 14. Your claim must be filed online or postmarked by mail by August 28, 2020 or received by the Notice and Claims Administrator by that time (for example, via e-mail or facsimile).

GETTING MORE INFORMATION

27. Are more details about the settlement and the lawsuit available?

Yes. This Notice summarizes the proposed settlements with the Settling Defendants and the ongoing lawsuit against the Non-Settling Defendants. More details about the settlements are set forth in the proposed Settlement Agreements themselves. You can see or print copies of the Settlement Agreements at www.capacitorsantitrustsettlement.com. More information about the ongoing class action lawsuit, including the Plaintiffs' class action complaint, can also be viewed or printed at www.capacitorsantitrustsettlement.com, or at the website of Class Counsel, the Joseph Saveri Law Firm, Inc., at www.saverilawfirm.com.

28. How do I get more information?

The Website www.capacitorsantitrustsettlement.com allows you to complete and submit a Claim Form online. The Website also provides answers to common questions about the lawsuit, the partial settlements, Claim Forms, and other information to help you determine whether you are a Settlement Class Member, whether you are eligible for a payment, and when Settlement Funds will be distributed. You may also submit a written Claim Form at the address listed below, or you may call or write to the Notice and Claims Administrator with your questions at:

Notice and Claims Administrator
In re Capacitors Antitrust Lawsuit - 6985
P.O. Box 2563
Faribault, MN 55021-9563
Telephone: 1-866-903-1223

PLEASE DO NOT CONTACT THE COURT. YOU SHOULD DIRECT ANY QUESTIONS YOU MAY HAVE ABOUT THIS NOTICE OR THE SETTLEMENTS TO THE NOTICE AND CLAIMS ADMINISTRATOR OR TO PLAINTIFFS' COUNSEL.

You may also seek the advice and counsel of your own attorney at your own expense, if you desire.

