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8  
 9 **UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10  
**SAN FRANCISCO DIVISION**

11 **IN RE CAPACITORS ANTITRUST**  
 12 **LITIGATION**

**MDL No. 17-md-02801**  
**Case No. 3:14-cv-03264-JD**

**DECLARATION OF ERIC SCHACHTER IN**  
**SUPPORT OF INDIRECT PURCHASER**  
**PLAINTIFFS' MOTION FOR FINAL**  
**APPROVAL OF SETTLEMENTS WITH**  
**ELNA, MATSUO, NICHICON, AND**  
**PANASONIC**

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 17 This Document Relates to:  
 18 Indirect Purchaser Actions

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1 I, Eric Schachter, hereby declare as follows:

2 1. I am a Vice President of A.B. Data, Ltd.’s Class Action Administration Division  
3 (“A.B. Data”), whose corporate office is located in Milwaukee, Wisconsin. I am fully familiar with  
4 the facts contained herein based upon my personal knowledge. My telephone number is (414)  
5 961-7535.

6 2. I submit this Declaration in connection with the class action notice and settlement  
7 administration proceedings related to the above-captioned action (the “Action”) pursuant to the  
8 terms of this Court’s Order Granting Indirect Purchaser Plaintiffs’ Motion for Approval of Class  
9 Notice Program dated August 12, 2019 (the “Notice Order”) (Case 3:17-md-02801-JD, ECF No.  
10 836). I have personal knowledge of the facts set forth herein and, if called as a witness, could and  
11 would testify competently thereto.

12 3. This Declaration details the steps that were taken to implement notice of the  
13 Settlements under the terms of the proposed notice plan and the Court’s Notice Order. Those steps  
14 included the following:

- 15 a. Mailing the Long-Form Notice and Proof of Claim Form (the “Notice Packet”) via  
16 U.S. Mail to potential members of the Settlement Classes;
- 17 b. Publishing the Short-Form Notice via print and digital media;
- 18 c. Providing email notice through email “blasts;”
- 19 d. Advertising through digital “banner” ads on designated websites;
- 20 e. Updating the case-specific settlement website, [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com);
- 21 and
- 22 f. Disseminating a news release to announce the Settlements.

23 **DISSEMINATION OF DIRECT-MAIL NOTICE**

24 4. Pursuant to the Notice Order, A.B. Data was responsible for providing direct notice  
25 of the Settlements to all members of the Settlement Classes who could be reasonably identified.

26 5. On or about January 30, 2019, A.B. Data received a data set from the Indirect  
27 Purchaser Plaintiffs (“IPPs”), compiled from transactional data provided in connection with  
28 non-party discovery produced by capacitor distributors in this Action. After electronically

1 processing to normalize the data and remove exact duplicates, A.B. Data identified the names,  
2 mailing addresses, and transactional information related to eligible purchases of capacitors for  
3 potential members of the Settlement Classes (the “Distributor Data”). As discussed below, AB  
4 Data mailed Notice Packets to these potential Settlement Class Members that included their  
5 respective aggregate total capacitor purchases in a prepopulated field included within the Claim  
6 Form.

7 6. A.B. Data then programmatically compared the Distributor Data to the mailing list  
8 utilized to send notice of previous settlements in this Action. This allowed A.B. Data to identify the  
9 names and mailing addresses for an additional set of potential members of the Settlement Classes  
10 not within the Distributor Data requiring notice.

11 7. On September 23, 2019, A.B. Data caused the Notice Packet to be mailed via  
12 First-Class Mail, postage prepaid, to 428,395 potential members of the Settlement Classes. For the  
13 records derived from the Distributor Data, each potential Settlement Class Member’s respective  
14 aggregate total of electrolytic and film capacitor purchases were prepopulated in a field within the  
15 Claim Form. Prior to mailing, all mailing addresses were standardized and updated using the  
16 National Change of Address (“NCOA”) system maintained by the United States Postal Service  
17 (“USPS”) in an effort to improve deliverability rates. A true and correct copy of the Notice Packet  
18 is attached to this Declaration as Exhibit A.

19 8. As of the date of this Declaration, USPS has returned 67,103 Notice Packets to A.B.  
20 Data as undeliverable as addressed (“UAA”). Of the UAA Notice Packets, 106 included updated  
21 addresses provided by the USPS and were promptly re-mailed. Of the 66,997 UAA Notice Packets  
22 that did not include updated addresses, A.B. Data identified 13,181 updated addresses using  
23 third-party information providers to which we subscribe and promptly re-mailed Notice Packets to  
24 the updated mailing addresses.

25 **PUBLICATION OF THE SHORT-FORM NOTICE**

26 9. Pursuant to the Notice Order, A.B. Data caused the Short-Form Notice to publish in  
27 *The Wall Street Journal* on September 23, 2019. Proof of this publication is attached to this  
28 Declaration as Exhibit B.

1 **EMAIL BLASTS**

2 10. Pursuant to the Notice Order, A.B. Data was to provide notice through email blasts  
3 to subscribers of *Electronic Design*, *Penton Publications*, and *EE Times*.

4 11. A.B. Data effectuated email blasts that were disseminated to approximately 63,000  
5 subscribers of *Electronic Design*, 50,000 subscribers to *Penton Publications*, and approximately  
6 41,000 subscribers to *EE Times*.

7 **INTERNET BANNER AD CAMPAIGN**

8 12. Pursuant to the Notice Order, A.B. Data coordinated banner ads to appear in  
9 e-newsletters issued by *Nuts and Volts* and *Electronic Design TODAY*. Proof of these e-newsletter  
10 banner ads are attached to this Declaration as Exhibits C-1 and C-2.

11 13. Beginning on September 23, 2019, A.B. Data coordinated internet banner ads to  
12 appear on the following websites: [electronicdesign.com](http://electronicdesign.com); [machinedesign.com](http://machinedesign.com); [sourceesb.com](http://sourceesb.com);  
13 [mwrf.com](http://mwrf.com); [powerelectronics.com](http://powerelectronics.com); [hydraulicspneumatics.com](http://hydraulicspneumatics.com); [sourcetoday.com](http://sourcetoday.com); [nutsvolts.com](http://nutsvolts.com);  
14 [eetimes.com](http://eetimes.com); [ebonline.com](http://ebonline.com); and [globalpurchasing.com](http://globalpurchasing.com). Banner ads were also placed on  
15 Facebook, targeting business professionals within manufacturing industries and electronics  
16 hobbyists and enthusiasts. More than 30 million digital impressions were generated during the  
17 banner ad campaign. A sample of these digital banner ads is attached as Exhibit D.

18 **DISSEMINATION OF NEWS RELEASE**

19 14. Pursuant to the Notice Order, on September 24, 2019, A.B. Data disseminated a  
20 nationwide news release announcing the Settlements. A true and correct copy of the release is  
21 attached as Exhibit E.

22 **WEBSITE**

23 15. On September 23, 2019, A.B. Data updated the case-specific  
24 website, [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com), with updated information concerning the Settlements to  
25 assist potential Settlement Class Members in understanding the terms of the Settlements and their  
26 included rights. The website provides general information about the Settlements; links to the  
27 Long-Form Notice, Settlement Agreements, and other relevant pleadings and filings; and provides  
28 functionality for potential Settlement Class Members to submit their claims online. On

1 November 16, 2019, A.B. Data posted the IPPs' Notice of Motion and Motion for Award of  
2 Attorneys' Fees, Expenses, and Service Awards, including the Memorandum of Points and  
3 Authorities in Support thereof, to the settlement website.

4 **TELEPHONE HELPLINE**

5 16. On September 23, 2019, A.B. Data updated the interactive voice response ("IVR")  
6 system for the case-specific toll-free number, 866-217-4245, with information concerning the  
7 Settlements. The automated attendant answers calls and presents callers with a series of choices in  
8 response to basic questions. If callers require further assistance, they have the option of transferring  
9 their calls to a live operator during business hours.

10 **EXCLUSION REQUESTS RECEIVED**

11 17. Pursuant to the Notice Order and as detailed in the Short-Form Notice and  
12 Long-Form Notice, potential Settlement Class Members had the opportunity to request exclusion  
13 from the Settlement Classes. The deadline to submit a request for exclusion was  
14 December 23, 2019.

15 18. Attached hereto as Exhibit F is the list of persons and entities that have requested  
16 exclusion. To date, a total of 28 persons or entities submitted requests to opt out of the Settlement  
17 Classes.

18 19. The notices also provided instructions for potential members of the Settlement  
19 Classes to submit objections to or comments about any aspect of the Settlements. The instructions  
20 directed potential members of the Settlement Classes to submit their objection to the Court, by mail  
21 or in person, no later than December 23, 2019. To date, A.B. Data directly received a letter  
22 containing an exclusion request and a potential objection from a Settlement Class Member. A.B.  
23 Data promptly forwarded this letter to Class Counsel.

24 **CLAIMS RECEIVED**

25 20. The deadline for Settlement Class Members to submit a claim is March 23, 2020. It  
26 is our experience that substantial claims are submitted close in time to the claims deadline. I  
27 understand from Class Counsel that it is their intention to update the Court regarding the status of  
28 claims closer in time to the claims filing deadline to provide an accurate picture of the claims

1 process. After the claim deadline passes, A.B. Data will undertake audits and secondary reviews of  
2 the submitted claims to determine which claims are valid and for the purpose of culling out any  
3 fraudulent claims.

4 **CONCLUSION**

5 21. It is my opinion, based on my individual expertise and experience and that of my  
6 A.B. Data colleagues, that the notice plan described herein effectively reached potential Settlement  
7 Class Members, delivered plain language notices designed to capture potential Settlement Class  
8 Members' attention, and provided them with the information in an informative and easy to  
9 understand manner that is necessary to effectively understand their rights and options.

10 22. This notice plan delivered a calculated reach of over 70% and conforms to the  
11 standards employed by A.B. Data in notification plans designed to reach potential class members of  
12 settlement groups or classes that are national in scope and reach narrowly-defined entities and  
13 demographic targets.

14 23. For these reasons, in my opinion, this notice plan satisfied the requirements of Rule  
15 23 and Due Process.

16 I declare under penalty of perjury under the laws of the United States that the foregoing is  
17 true and correct.

18 Executed this 6<sup>th</sup> day of January 2020 in Milwaukee, Wisconsin.

19  
20   
21 \_\_\_\_\_  
Eric Schachter

# EXHIBIT A

## If You Bought an Electrolytic or Film Capacitor From Distributors Since 2002

**New Settlements Have Been Reached Totaling Approximately \$31 Million, and You Could Get Money From Settlements Totaling Approximately \$80.5 Million**

*A Federal Court authorized this Notice. This is not a solicitation from a lawyer.*

- You could receive money from class action settlements totaling approximately \$80.5 million. To receive money, you must complete and submit the enclosed Proof of Claim Form (“Claim Form”) by March 23, 2020.
- Please read this Notice and the Settlement Agreements available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com) carefully. Your legal rights may be affected whether you act or don’t act. This Notice is a summary of the Settlement Agreements and the Claim Form filing process. It is not intended to, and does not, include all of the specific details of the newly entered into Settlement Agreements, or Settlement Agreements for which notification was previously provided. To obtain more specific details concerning the Settlements, please read the Settlement Agreements.
- A class action lawsuit brought on behalf of indirect purchasers of electrolytic and film capacitors (“Capacitors”) is currently pending. Capacitors are electronic components that store electric charges between one or more pairs of conductors separated by an insulator.
- Plaintiffs claim that Defendants (listed below) and co-conspirators engaged in an unlawful conspiracy to fix, raise, maintain, or stabilize the prices of Capacitors. Plaintiffs allege that, as a result of the unlawful price-fixing conspiracy involving Capacitors, they and other indirect purchasers paid more for Capacitors than they would have paid absent the conspiracy. Defendants deny Plaintiffs’ claims.
- Settlements totaling approximately \$31 million have now been reached with Defendants ELNA Co., Ltd., and ELNA America, Inc., (“ELNA”), Matsuo Electric Co., Ltd., (“Matsuo”), Nichicon Corporation and Nichicon (America) Corporation (“Nichicon”), Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO Electronic Device (U.S.A.) Corporation (“Panasonic”) (collectively, “Settling Defendants”).
- Your legal rights will be affected whether you act or don’t act. This Notice includes information on the Settlements and the lawsuit. Please read the entire Notice carefully.
- The following rights and options – and deadlines to exercise them – are explained in this Notice.

<b>YOUR LEGAL RIGHTS AND OPTIONS</b>		
<b>SUBMIT A CLAIM FORM</b>	The only way to be eligible to receive a payment.	March 23, 2020
<b>EXCLUDE YOURSELF</b>	You will not be included in the Settlement(s) from which you exclude yourself. You will receive no benefits from the Settlement(s) from which you exclude yourself, but you will keep any rights you currently have to sue the Settling Defendants about the claims in the case(s) from which you exclude yourself.	December 23, 2019
<b>DO NOTHING NOW</b>	You will be included in these Settlements. If you do not submit a Claim Form you will not be eligible to receive a payment. If you do not exclude yourself from these Settlements, you will give up your rights to sue these Settling Defendants about the claims in the lawsuit.	
<b>OBJECT TO THE SETTLEMENT</b>	If you do not exclude yourself, you can write to the Court explaining why you disagree with these Settlements.	December 23, 2019
<b>GO TO THE HEARING</b>	The Court will consider whether the Settlements are fair, reasonable, and adequate.	January 23, 2020

- The Court in charge of this case still has to decide on final approval of the Settlements. Payments will be made only (1) if the Court approves the Settlements and after any appeals are resolved, and (2) after the Court approves a Distribution Plan to distribute the Settlement Funds minus expenses and any Court-approved attorneys’ fees (“Net Settlement Funds”) to Class Members. The proposed Distribution Plan for these Settlements is to make a *pro rata* distribution to each Class Member that purchased capacitors in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases per Class Member of Capacitors of film or electrolytic Capacitors during the Settlement class period. The indirect purchaser states are: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

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<b>BASIC INFORMATION</b>
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**1. What Is This Notice About?**

This Notice is to inform you about new Settlements reached in this litigation, before the Court decides whether to grant final approval to these new Settlements. This Notice explains the lawsuit, the new Settlements, and your legal rights in relation to the new Settlements, and the Claim Form filing process. The Court in charge is the United States District Court for the Northern District of California. This litigation is known as *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD. The people who sued are called the “Plaintiffs.” The companies they sued are called the “Defendants.”

**2. What Is This Lawsuit About?**

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of Capacitors for more than ten years, resulting in overcharges to indirect purchasers of Capacitors. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. and state antitrust, unfair competition, and consumer protection laws by agreeing to fix prices and restrict output of Capacitors by, among other things, face-to-face meetings and other communications, customer allocation, and the use of trade associations. Defendants deny Plaintiffs’ allegations. The Court has not decided who is right.

**3. Why Are There Settlements, But the Litigation Is Continuing?**

Only certain Defendants have agreed to settle the lawsuit. In addition to the Settling Defendants listed above, NEC TOKIN Corp. and NEC TOKIN America, Inc. (“NEC TOKIN”); Okaya Electric Industries Co., Ltd. (“OEI”); Nitsuko Electronics Corporation (“Nitsuko”); Hitachi Chemical Co., Ltd., Hitachi AIC Inc., and Hitachi Chemical Co. America, Ltd. (“Hitachi”); Soshin Electric Co., Ltd., and Soshin Electronics of America, Inc. (“Soshin”); Rubycon Corp. and Rubycon America, Inc. (“Rubycon”); Holy Stone Enterprise Co., Ltd., Holy Stone Holdings Co., Ltd., Holy Stone Polytech Co., Ltd., and Milestone Global Technology, Inc. (“Holystone”); and Nippon Chemi-Con Corp. and United Chemi-Con, Inc. (“NCC/UCC”) have previously agreed to settlements. The case is continuing against the remaining Defendants (“Non-Settling Defendants”). Additional money may become available in the future as a result of a trial or future settlements, but there is no guarantee that this will happen.

**4. Who Are the Non-Settling Defendant Companies?**

The Non-Settling Defendant companies include: Nissei Electric Co., Ltd., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd. (collectively, “Non-Settling Defendants”).

**5. What Are Capacitors?**

Capacitors are one of the most common electronic components in the world today. They store electric charges between one or more pairs of conductors separated by an insulator. Most electronic products – from cellphones to personal computers to home appliances – contain them, sometimes hundreds of them. The three basic types of capacitors are ceramic, electrolytic, and film, the latter two of which are the subject of this lawsuit. Electrolytic and film capacitors are widely used in a range of industries, such as information and telecommunications, audiovisual, and electronic games. An “electrolytic capacitor” uses an electrolyte (an ionic conducting liquid) as one of its plates to achieve a relatively larger capacitance per unit volume. A “film capacitor” uses insulating plastic film and one of two conductive materials, polypropylene or polyester.

**6. Why Is This a Class Action?**

In a class action, one or more people called the “class representatives” sue on behalf of themselves and other people with similar claims in the specific class action. All of these people together are the “Class” or “Class Members.” In a class action, one court may resolve the issues for all Class Members, except for those who exclude themselves from the class.

<b>THE SETTLEMENTS</b>
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**7. How Do I Know If I May Be Included in the Class?**

The Settlement Classes for all of the Settlement Agreements include the following:

All persons and entities in the United States who, during the period from April 1, 2002, through February 28, 2014, purchased one or more Electrolytic Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured.

A second class is included in the Panasonic Settlement Agreement including the following:

All persons and entities in the United States who, during the period from January 1, 2002, through February 28, 2014, purchased one or more Film Capacitor(s) from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured.

Excluded from the foregoing Classes are Defendants, their parent companies, subsidiaries, and Affiliates, any co-conspirators, Defendants' attorneys in this case, federal government entities and instrumentalities, states and their subdivisions, all judges assigned to the case, all jurors in the case, and all persons and entities who directly purchased Capacitors from a Defendant.

The specific definition of who is included in each of the Settlement Classes is set forth in the Settlement Agreements and in the order preliminarily approving the Settlements. The Settlement Agreements, the preliminary approval order, and the related Complaints are accessible on the website [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

## **8. What Do the Settlements Provide?**

The combined Settlement Fund from these new Settlements is \$30,950,000. After deduction of attorneys' fees, notice and administration costs, and litigation expenses, as approved by the Court, the remaining Settlement Fund will be available for distribution to Class Members that file timely valid claims. The Settlements also include nonmonetary relief, including cooperation in litigating the remaining claims against the Non-Settling Defendants.

More details about the Settlements are set forth in the Settlement Agreements, available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

## **HOW TO GET BENEFITS**

### **9. How Can I Get a Payment from the Settlements?**

To receive money, you must submit a valid Claim Form (attached). You also have the option to submit an online Claim Form at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com). Please read this Notice and the Claim Form carefully, fill out the form, including all the information and documents it asks for, sign it, and submit it to the Settlement Administrator by mail or online no later than March 23, 2020.

### **10. How Much Money Can I Get?**

At this time, it is unknown how much each Class Member that submits a valid claim will receive. Payments will be based on a number of factors, including the number of valid claims filed by all Class Members for film or electrolytic Capacitors and the dollar value of each Class Member's purchase(s) of film or electrolytic Capacitors in proportion to the total claims filed. No matter how many claims are filed, no money will be returned to the Settling Defendants once the Court finally approves the Settlements. In order to receive a payment, you will need to file a valid claim form no later than March 23, 2020.

Payments to Class Members will be made only: (1) if the Court approves the Settlements and after any appeals are resolved, and (2) in accordance with the Distribution Plan to distribute the Settlement Funds minus expenses and Court-approved attorneys' fees ("Net Settlement Fund") to Class Members. The Distribution Plan, as approved by the Court, will determine the amount, if any, that each Class Member will receive. The proposed distribution plan for these Settlements is to make a *pro rata* distribution to each Class Member that made a qualifying purchase in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases of Capacitors per Class Member during the Settlement class period. The indirect purchaser states are: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

### **11. When Will I Get a Payment?**

Payments from the Settlements will not be distributed until the Court grants final approval of the Settlements, any objections or appeals are resolved, and all claims are processed and validated. Updates will be provided on the Settlements' website at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

## **REMAINING IN THE CLASS**

### **12. What Happens If I Remain in the Class?**

You will give up your right to sue the Settling Defendants on your own for the claims described in the Settlement Agreements unless you exclude yourself from one or more of the Settlement Classes. You also will be bound by any decisions by the Court relating to the Settlements. In return for paying the Settlement Amount and providing the nonmonetary benefits, the Settling Defendants (and certain related entities defined in the Settlement Agreements) will be released from claims relating to the alleged conduct involving the Capacitors identified in the Settlement Agreements. The Settlement Agreements describe the released claims in detail, so read them carefully, since those releases will be binding on you if the Court approves the Settlements. If you have any questions, you can talk with Class Counsel for free, or you can, of course, talk with your own lawyer (at your own expense) if you have questions about what this means. The Settlement Agreements and the specific releases are available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

<b>EXCLUDING YOURSELF FROM THE SETTLEMENT CLASSES</b>
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**13. How Do I Get Out of the Settlement Classes?**

To exclude yourself from one or more of the Settlement Classes, you must send a letter by mail stating that you want to be excluded from *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD. Your letter must also include the following:

- Your name, address, and telephone number;
- A statement saying that you want to be excluded from *In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD;
- A statement indicating, by Defendant name, the settlements from which you wish to be excluded; and
- Your signature.

You must include the following statement with your exclusion request: “I want to be excluded from the Capacitors Antitrust Litigation class action settlement with [SPECIFY THE NAME OF EACH SETTling DEFENDANT WHOSE SETTLEMENT YOU WISH TO EXCLUDE YOURSELF FROM]. 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.”

You must mail your exclusion request, postmarked no later than December 23, 2019, to:

Capacitors Indirect Settlement  
EXCLUSIONS  
c/o A.B. Data, Ltd.  
P.O. Box 173001  
Milwaukee, WI 53217-8042

**14. If I Don’t Exclude Myself, Can I Sue for the Same Thing Later?**

No. Unless you exclude yourself, you give up any right to sue the Settling Defendants for the claims being released in this litigation.

If you have a pending lawsuit against any of the Defendants, speak to your lawyer in that lawsuit immediately, because you need to exclude yourself from the Class(es) to continue your own lawsuit.

**15. If I Exclude Myself, Can I Still Get Money Benefits?**

No. If you exclude yourself from any Settlement Class in the Settlements, you will not get any money as a result of the Settlement.

<b>THE LAWYER REPRESENTING YOU</b>
------------------------------------

**16. Do I Have a Lawyer Representing Me?**

The Court has appointed the following lawyer as Class Counsel to represent you and all other members of the Classes:

Adam J. Zapala, Esq. Cotchett, Pitre & McCarthy, LLP San Francisco Airport Office Center 840 Malcolm Road, Suite 200 Burlingame, CA 94010
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You will not be charged for contacting this lawyer. If you want to be represented by your own lawyer, you may hire one at your own expense.

**17. How Will the Lawyers Be Paid?**

At the Final Fairness Hearing, Class Counsel may ask the Court to reimburse them for certain fees, costs, and expenses. At the Final Fairness Hearing, or at a later date, Class Counsel will ask the Court for attorneys’ fees based on their services in this litigation, not to exceed 30% of the Settlement Funds and may ask to be reimbursed for certain expenses already incurred on behalf of the Classes in an amount not to exceed \$905,071.23. Any payment to the attorneys will be subject to Court approval, and the Court may award less than the requested amount. The attorneys’ fees, costs, and expenses that the Court orders, plus the costs to administer the Settlements, will come out of the Settlement Funds. Class Counsel may seek additional attorneys’ fees, costs, and expenses from any other settlements or recoveries obtained in the future.

When Class Counsel’s motion for fees, costs, and expenses is filed, it will be available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com). The motion will be posted on the website at least 45 days before the deadline for objecting, commenting on, or excluding yourself from the Settlements. You will have an opportunity to comment on this request.

## OBJECTING TO THE SETTLEMENTS

### 18. How Do I Object to or Comment on the Settlements?

If you have objections to or comments about any aspect of the Settlements, you may express your views to the Court. You can object to or comment on one or more Settlements only if you do not exclude yourself from that Settlement Class. To object to or comment on the Settlements, you must do the following:

- Specify in writing your name, address, and telephone number;
- Clearly identify in writing the case name, number, and Settlement (*In re Capacitors Antitrust Litigation – All Indirect Purchaser Actions*, No. 3:14-cv-03264-JD);
- Submit your letter to the Court either by mailing it to the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing it in person at any location of the United States District Court for the Northern District of California;
- Also submit your letter or objection to Class Counsel; and
- Make sure that the letter is filed or postmarked on or before December 23, 2019.

### 19. What Is the Difference Between Excluding Myself From the Class and Objecting to the Settlements?

If you exclude yourself from any of the Classes, you are telling the Court that you do not want to participate in the Settlement(s). Therefore, you will not be eligible to receive any benefits from the Settlement(s), and you will not be able to object to the Settlement(s). Objecting to a Settlement simply means telling the Court that you do not like something about the Settlement. Objecting does not make you ineligible to receive a payment.

## THE FINAL FAIRNESS HEARING

The Court will hold a hearing to decide whether to approve the Settlements and any requests by Class Counsel for fees, costs, and expenses. You may attend and you may ask to speak, but you do not have to do so.

### 20. When and Where Will the Court Decide Whether to Approve the Settlements?

The Court will hold a Final Fairness Hearing at 10:00 a.m. on January 23, 2020, at the United States Courthouse, 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102. The hearing may be moved to a different date or time without additional notice, so check the Court's PACER site, <http://cand.uscourts.gov/cm-ecf>; or [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com); or call 1-866-217-4245 to confirm that the date has not been changed. At this hearing, the Court will consider whether the Settlements are fair, reasonable, and adequate. If there are objections or comments, the Court will consider them at that time and may listen to people who have asked to speak at the hearing. The Court may also decide how much to pay Class Counsel and whether to reimburse Class Counsel for certain costs. At or after the hearing, the Court will decide whether to approve the Settlements.

### 21. Do I Have to Attend the Hearing?

No. Class Counsel will answer any questions the Court may have. But you are welcome to attend at your expense. If you send an objection or comment, you do not have to come to Court to talk about it. As long as you filed or mailed your written objection on time, the Court will consider it. You may also hire your own lawyer at your own expense to attend on your behalf, but you are not required to do so.

### 22. May I Speak at the Hearing?

If you send an objection or comment on the Settlements, you may have the right to speak at the Final Fairness Hearing as determined by the Court. You cannot speak at the hearing if you exclude yourself from any of the Classes.

## THE TRIAL

### 23. When and Where Will the Trial Against the Non-Settling Defendants Take Place?

If the case against the Non-Settling Defendants is not dismissed or settled, the Plaintiffs will have to prove their claims against the Non-Settling Defendants at trial. Trial is scheduled for February 3, 2020. The trial will be held at the United States Courthouse at 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102.

At the trial, a decision will be reached about whether the Plaintiffs or the Non-Settling Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win any money or other benefits for Class Members at trial.

### 24. What Are the Plaintiffs Asking for From the Non-Settling Defendants?

The Class Representatives are asking for damages for Class Members. The Class Representatives are also seeking an order to prohibit the Non-Settling Defendants from engaging in the alleged behavior that is the subject of the lawsuit.

**25. Will I Get Money After the Trial?**

If the Plaintiffs obtain money or benefits as a result of a trial or settlement with the Non-Settling Defendants, Class Members will be notified about how to ask for a share or what their other options are at that time. These things are not known right now.

**GET MORE INFORMATION**

**26. How Do I Get More Information?**

This Notice summarizes the Settlements and the Claim Form Filing process. For the precise terms and conditions of the settlements, please see the settlement agreements available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com), by contacting class counsel at (650) 697-6000, by accessing the Court docket in this case for a fee, 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, CA 94012, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

You may also submit your Claim Form online at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com). You also may write with questions to the Settlement Administrator: Capacitors Indirect Settlement, c/o A.B. Data, Ltd., P.O. Box 173020, Milwaukee, WI 53217-8042 or call the toll-free number 1-866-217-4245.

**PLEASE DO NOT TELEPHONE THE COURT OF THE COURT CLERK'S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.**

Dated: August 12, 2019

By Order of the Court  
United States District Court  
Northern District of California

# CAPACITORS INDIRECT PURCHASER CASE

## CLAIM FORM

### GENERAL INFORMATION

The lawsuit alleges that Defendants and co-conspirators conspired to raise and fix the prices of Capacitors for more than ten years, resulting in overcharges to indirect purchasers of Capacitors. The complaint describes how the Defendants and co-conspirators allegedly violated the U.S. and state antitrust, unfair competition, and consumer protection laws by agreeing to fix prices and restrict output of Capacitors by, among other things, face-to-face meetings and other communications, customer allocation, and the use of trade associations. Defendants deny Plaintiffs' allegations. The Court has not decided who is right.

Settlements totaling approximately \$80.5 million have been reached with Defendants ELNA Co., Ltd. and ELNA America, Inc., ("ELNA"); Hitachi Chemical Co., Ltd., Hitachi AIC Inc., and Hitachi Chemical Co. America, Ltd. ("Hitachi"); Holy Stone Enterprise Co., Ltd., Holy Stone Holdings Co., Ltd., Holy Stone Polytech Co., Ltd., and Milestone Global Technology, Inc ("Holystone"); Matsuo Electric Co., Ltd., ("Matsuo"); Nippon Chemi-Con Corp. and United Chemi-Con, Inc. ("NCC/UCC"); NEC TOKIN Corp. and NEC TOKIN America, Inc. ("NEC TOKIN"); Nichicon Corporation and Nichicon (America) Corporation ("Nichicon"); Nitsuko Electronics Corporation ("Nitsuko"); Okaya Electric Industries Co., Ltd. ("OEI"); Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., SANYO Electric Co., Ltd., and SANYO Electronic Device (U.S.A.) Corporation ("Panasonic"); Rubycon Corp. and Rubycon America, Inc. ("Rubycon"); and Soshin Electric Co., Ltd. And Soshin Electronics Of America, Inc. ("Soshin") (collectively, the "Settling Defendants").

The specific definition of who is included in each of the Classes for the agreements reached with each Settling Defendant are set forth in the Settlement Agreements and in the orders preliminarily approving the Settlements. The Settlement Agreements, the preliminary approval orders, and the related Complaint are accessible on the website [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

The Non-Settling Defendant companies include Nissei Electric Co., Ltd., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd. (collectively, "Non-Settling Defendants"). The Settlements also include nonmonetary relief, including cooperation in litigating the remaining claims against the Non-Settling Defendants.

If the case against the Non-Settling Defendants is not dismissed or settled, the Plaintiffs will have to prove their claims against the Non-Settling Defendants at trial. Trial is scheduled to start on February 3, 2020. The trial will be held at the United States Courthouse at 450 Golden Gate Avenue, Courtroom 11, 19th Floor, San Francisco, CA 94102.

At the trial, a decision will be reached about whether the Plaintiffs or the Non-Settling Defendants are right about the claims in the lawsuit. There is no guarantee that the Plaintiffs will win any money or other benefits for Class Members at trial.

**TO BE ELIGIBLE FOR PAYMENT YOU MUST SUBMIT A VALID PROOF OF CLAIM AND RELEASE FORM NO LATER THAN MARCH 23, 2020.**

**REQUIREMENTS FOR FILING THE ATTACHED CLAIM FORM**

Your Claim will be considered only if you meet the following conditions:

1. You must accurately complete all required portions of the attached Claim Form.
2. You must sign the Claim Form, which includes the Certification. If you submit the form electronically, your electronic signature and submission of the form will have the same force and effect as if you signed the form on paper.
3. By signing and submitting the Claim Form, you are swearing under penalty of perjury that you are a Class Member and the information you provide on the Claim Form is accurate.
4. If you are submitting the Claim Form on behalf of another person or entity, indicate the capacity in which you are submitting the claim and proof of your authority to do so.
5. You have two options for completing a Proof of Claim Form:

- i. You can mail the completed and **signed** Claim Form by mail, postmarked no later than March 23, 2020, to:

Capacitors Indirect Case  
c/o A.B. Data, Ltd.  
P.O. Box 173020  
Milwaukee, WI 53217

OR

- ii. You can complete and submit the Claim Form using the Settlement Administrator's Website, [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com). Upon completion of the online Claim Form, you will receive an acknowledgement that your claim has been submitted. If you choose this option and file a claim electronically, your electronic signature and submission of the form will conform to the requirements of the Electronic Signatures Act, 15 U.S.C. § 7001, et seq., and will have the same force and effect as if you signed the Claim Form in hard copy.
6. Your failure to complete and submit the Claim Form postmarked or filed online by **March 23, 2020**, will prevent you from receiving any payment from these Settlements. Claims Forms must be substantially complete at the time of submission to be considered timely filed. Submission of this Claim Form does not ensure that you will share in the payments. If the Settlement Administrator disputes a material fact concerning your Claim, you will have the right to present information in a dispute resolution process.
7. At this time, it is unknown how much each Class Member that submits a valid claim will receive. Payments will be based on a number of factors, including the number of valid claims filed by all Class Members for film or electrolytic Capacitors and the dollar value of each Class Member's purchase(s) of film or electrolytic Capacitors in proportion to the total claims filed. No matter how many claims are filed, no money will be returned to the Settling Defendants once the Court finally approves the Settlements.
8. Payments to Class Members will be made only: (1) if the Court approves the Settlements and after any appeals are resolved, and (2) in accordance with the Distribution Plan to distribute the Settlement Funds minus expenses and Court-approved attorneys' fees ("Net Settlement Fund") to Class Members. The Distribution Plan, as approved by the Court, will determine the amount, if any, that each Class Member will receive. The proposed distribution plan for these Settlements is to make a *pro rata* distribution to each Class Member who purchased their qualifying capacitor(s) in a state that permits indirect purchaser antitrust claims based upon the number of approved purchases of Capacitors per Class Member during the Settlement class period. The indirect purchaser states are: Alabama, Arizona, Arkansas, California, District of Columbia, Florida, Hawaii, Illinois, Iowa, Kansas, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, New York, North Carolina, North Dakota, Oregon, Rhode Island, South Carolina, South Dakota, Tennessee, Utah, Vermont, West Virginia, and Wisconsin.

The information provided on this Claim Form will be used solely by the Court-approved Settlement Administrator for the purposes of administering the Settlements and will not be provided to any third party or sold for marketing purposes.

**MUST BE  
POSTMARKED BY  
MARCH 23, 2020**

United States District Court  
Northern District of California  
San Francisco Division

**FOR OFFICIAL  
USE ONLY**

*In re Capacitors Antitrust Litigation  
All Indirect Purchaser Actions  
No. 3:14-cv-03264-JD*

**PROOF OF CLAIM AND RELEASE FORM**

**CONTACT INFORMATION:**

**NAME**

**ADDRESS LINE 1**

**APT**

<input type="text"/>	<input type="text"/>
----------------------	----------------------

**ADDRESS LINE 2**

**CITY**

**STATE**

**ZIP**

<input type="text"/>	<input type="text"/>	<input type="text"/>
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**EMAIL ADDRESS**

**MOBILE PHONE NUMBER**

**PURCHASE INFORMATION**

For some but not all potential Class Members and for some but not all purchases, the Settlement Administrator has received Capacitors Class Period purchase information from certain distributors. It is important to note that the Settlement Administrator did not receive data from all distributors regarding purchases made by the class of Capacitors for the entire Class Period. If there is a Notice ID and Purchase Amount populated below, you have the option to elect for that Purchase Amount to be your full amount claimed, with no requirement for providing further proof of your purchase(s).

To elect the Purchase Amount reflected below to be your amount claimed, you must sign and date the Certification included on page 4 of this Proof of Claim and Release Form.

NOTICE ID	PURCHASE AMOUNT FILM CAPACITORS	PURCHASE AMOUNT ELECTROLYTIC CAPACITORS
	\$	\$

Claimants who believe that the amount listed above is not correct for any reason, or who believe they purchased more in Capacitors than the amount reflected above, may strike out the amount above and complete the box below and indicate the correct amount. If the amount above is struck, the new amount entered must be supported with proof-of-purchase documentation indicating the total purchases for which you are submitting a claim. Supporting documentation must include the product name, name of Defendant manufacturer, number of units, date of purchase, distributor purchased from, and net purchase amount. Please submit legible copies. Do not send originals, but maintain the originals in your records.

If the boxes on the previous page are blank, it means the Settlement Administrator did not receive any usable Capacitor purchase information to support your claim and you therefore must complete the box below providing your purchase information and include proof of purchase. Supporting documentation must include the product name, name of Defendant manufacturer, number of units, date of purchase, distributor purchased from, and net purchase amount. Please submit legible copies. Do not send originals, but maintain the originals in your records.

<b>TOTAL PURCHASES FILM CAPACITORS:</b> Total amount of all purchases of Capacitors purchased from a capacitor distributor, not for resale, between January 1, 2002, and February 28, 2014.	\$
<b>TOTAL PURCHASES ELECTROLYTIC CAPACITORS:</b> Total amount of all purchases of Capacitors purchased from a capacitor distributor, not for resale, between April 1, 2002, and February 28, 2014.	\$

**CERTIFICATION**

By signing this claim submission, I certify, under penalty of perjury, that the information included with this claim submission is accurate and complete to the best of my knowledge, information and belief. If I am submitting this claim submission on behalf of a Claimant, I certify that I am authorized to submit this claim submission on the behalf of the individual or entity. I am, or the individual or entity on whose behalf I am submitting this claim submission is, a member of the Class, and have not submitted a request to exclude myself, or “opt-out of”, the Settlement. I agree to furnish additional information regarding this claim submission if so requested to do so by the Settlement Administrator.

SIGNATURE	DATE

Capacitors Indirect Case  
c/o A.B. Data, Ltd.  
P.O. Box 173020  
Milwaukee, WI 53217

**COURT - ORDERED NOTICE REGARDING**  
*In re Capacitors Antitrust Litigation*

**DATED MATERIAL - OPEN IMMEDIATELY**

**REMINDER**

Please make sure that you:

1. Complete all sections of this Claim Form and include supporting documentation where applicable;
2. Sign the Claim Form; and
3. Submit your Claim Form by mail postmarked no later than March 23, 2020, to:

**Capacitors Indirect Case  
c/o A.B. Data, Ltd.  
P.O. Box 173020  
Milwaukee, WI 53217**

# EXHIBIT B



# EXHIBIT C-1

[View in browser](#)

# NUTS AND VOLTS

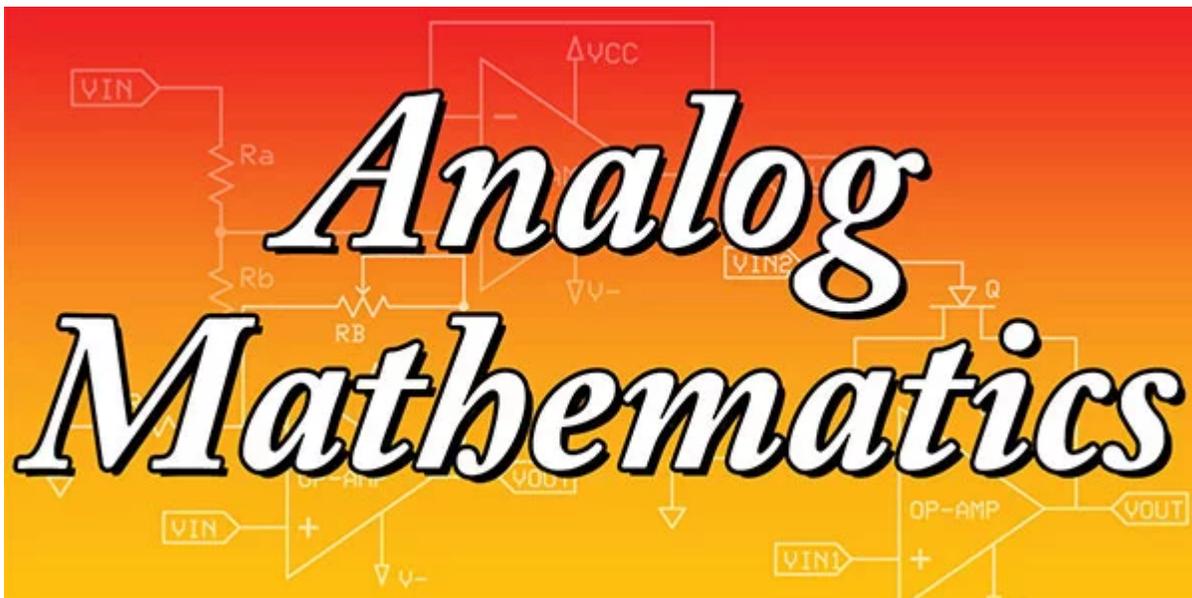
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Accurate Thermocouple Measurements on Raspberry Pi®



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## ANALOG MATHEMATICS

Even in the midst of the digital revolution, there's still a place for analog mathematics to streamline your designs.

In the midst of the digital revolution, it seems that the utility of analog mathematical circuits has been shunted aside. However, there are still useful and important applications for analog mathematics in today's digital world. In fact, the marriage between analog computing and microprocessors ( $\mu$ Cs) can be remarkably efficient.

*See How Things Add Up!*

# If You Bought An ELECTROLYTIC or FILM CAPACITOR From Distributors Since 2002, You Could GET MONEY!



If You Bought an  
**ELECTROLYTIC  
OR FILM  
CAPACITOR**  
From a Distributor



You could  
**GET MONEY** from  
Settlements Totaling  
Approximately  
**\$80.5 MILLION**

**File Your Claim Now!**

CapacitorsIndirectCase.com

*New Settlements totaling approximately \$31 Million have been reached with ELNA Co., Matsuo, Nichicon, and Panasonic, and all Settlements total approximately \$80.5 Million.*

***Get More Information and File Your Claim Now!***

**Advertisement**

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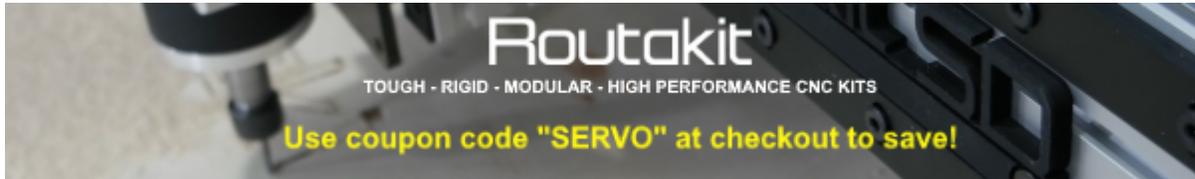


## **OSCILLOSCOPE PROBES AND PROBING**

**Do you get erratic results with your oscilloscope?**

As you start probing higher and higher frequencies, do the results get increasingly odder? Let's address the reasons for that strange behavior and construct an Active Probe for a low price.

*Read It Now!*



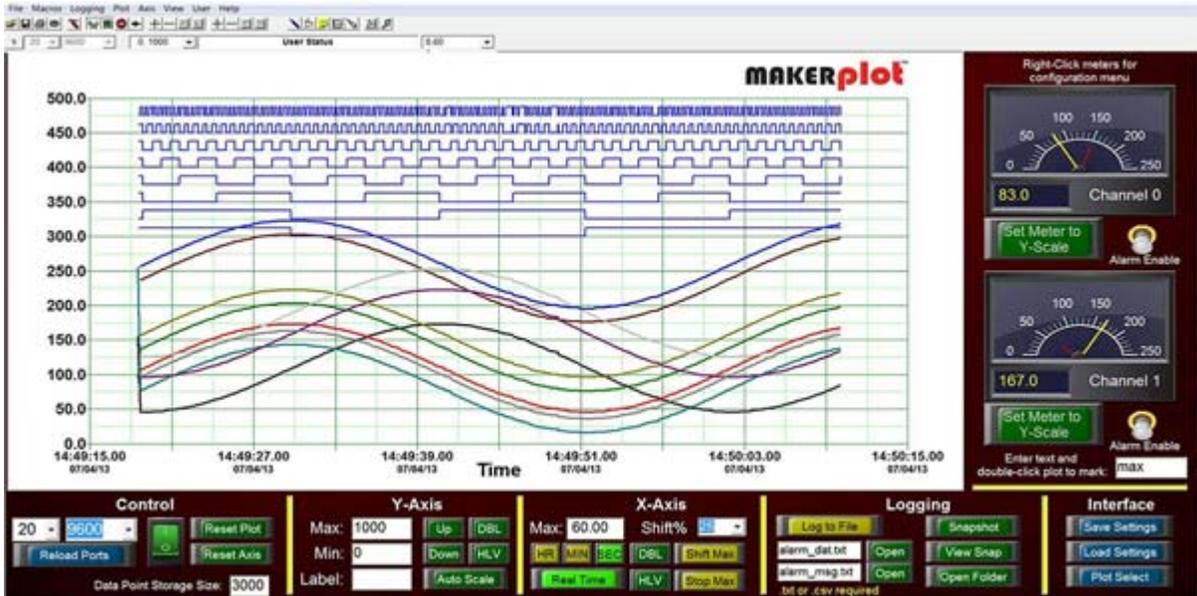
## LITTLE BOOK OF HORROR

It seems like just an innocent edition sitting on the counter ...

Browsing in a craft store, I happened on a box that looked like a small book. I thought it would be cool to see if I could put enough electronics in it to make the cover pop up as a Halloween prop. As with most of my projects, that concept was just the beginning of a small project that became a larger project due to scope creep. I would always think — wouldn't it be even cooler if I did this ... and then that!

*Build One Now!*

---



## MakerPlot – THE DIY SOFTWARE KIT PART 4

Graphical plotting, data acquisition, and control software for your microcontroller.

Learn how to plot both analog and digital data from the Arduino Uno, then see how to log that data and play it back for greater analysis.

*Plot It Now!*



Altura MIDI Theremin

Macchiato Mini-Synth

RetroGame

The Mentor's Friend

Nuts & Volts On CD-ROM

3D LED Matrix Cube

TEENSY Graphics Interface

Arduino Graphics Interface

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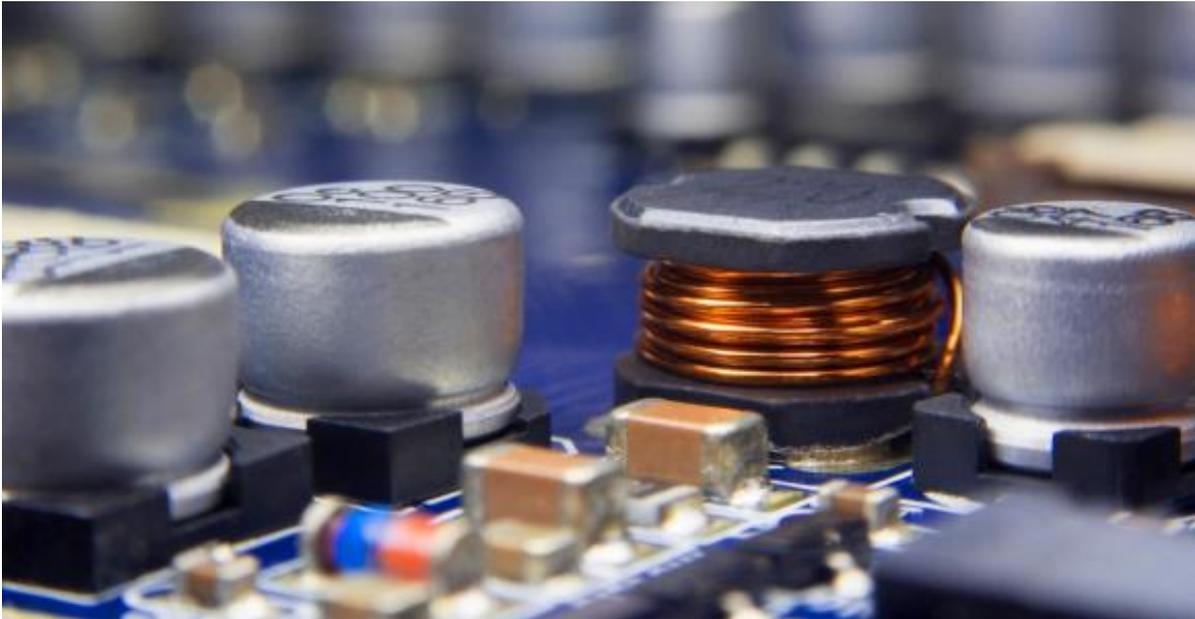
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# EXHIBIT C-2

# Electronic Design. **TODAY**

OCTOBER 14, 2019



## **A Better Transformer Equivalent Circuit**

Precision transformer circuits play key roles in applications such as TRA bridges. Here's an equivalent circuit that surpasses most others when looking to meet those accuracy demands.

[Full article](#)

## **TSMC Works with Arm to Chart Future of Chiplets**

TSMC is preparing to ramp up production using small interchangeable parts called chiplets amid a slowdown in Moore's Law. That was teased out last month when the company partnered with Arm to showcase a server chip based on 7-nm chiplets. The proof-of-concept was assembled from smaller separate die, like laying out parts on a miniature circuit board. The parts can include CPUs, GPUs, DRAM, and various other ICs with prepackaged functions.

[Full article](#)

Advertisement

If You Bought an  
**ELECTROLYTIC or  
FILM CAPACITOR**  
You Could GET MONEY  
from Settlements  
Totaling Approximately  
**\$80.5 MILLION**



**File Your  
Claim Now!**

CapacitorsIndirectCase.com

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an informa business

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# EXHIBIT D

If You Bought an  
**ELECTROLYTIC  
OR FILM  
CAPACITOR**  
From a Distributor



You could  
**GET MONEY** from  
Settlements Totaling  
Approximately  
**\$80.5 MILLION**

File Your Claim Now!

CapacitorsIndirectCase.com



If You Bought an **ELECTROLYTIC OR FILM CAPACITOR**  
You Could **GET MONEY** from Settlements  
Totaling Approximately **\$80.5 MILLION**

File Your Claim Now!

CapacitorsIndirectCase.com

# EXHIBIT E



## **If You Bought an Electrolytic or Film Capacitor From Distributors Since 2002 You Could Get Money From Settlements Totaling Approximately \$80.5 Million in Class Action Settlements Announced by Cotchett, Pitre & McCarthy, LLP**

September 24, 2019 04:00 PM Eastern Daylight Time

SAN FRANCISCO--(BUSINESS WIRE)--Class action settlements totaling approximately \$31 million announced by Cotchett, Pitre & McCarthy, LLP. You could get money from settlements now totaling approximately \$80.5 million.

Defendants ELNA Co., Ltd., ELNA America, Inc., Matsuo Electric Co., Ltd., Nichicon Corporation, Nichicon (America) Corporation, and Panasonic Corporation, Panasonic Corporation of North America, SANYO Electric Co., Ltd., and SANYO Electronic Device (U.S.A.) Corporation (collectively "Settling Defendants") have agreed to Settlements resolving claims that they allegedly fixed the prices of certain Capacitors. This may have caused individuals and businesses to pay more for Capacitors. Capacitors are electronic components that store electric charges between one or more pairs of conductors separated by an insulator.

### **Am I Included?**

You may be included if, from January 1, 2002, through February 28, 2014, you purchased one or more Capacitors from a distributor (or from an entity other than a Defendant) that a Defendant or alleged co-conspirator manufactured. "Indirect," as that term is used below, means that you bought the product from someone other than the manufacturer, for example, from a distributor. A more detailed notice, including the exact Class definitions and exceptions to Class membership, is available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

### **What do the Settlements provide?**

The newly reached Settlements provide for the combined payment of \$30,950,000 in cash to the Classes. The Settling Defendants have also agreed to cooperate in the pursuit of claims against the other non-Settling Defendants.

### **How can I get a payment?**

In order to be eligible to receive a payment from the Settlements you must submit a valid Claim Form no later than March 23, 2020. You may submit a Claim Form either online or by mail. Both options are available at the website [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

### **When will I get a payment?**

Payments from the Settlements will not be distributed until the Court grants final approval of the Settlements, any objections or appeals are resolved, and all claims have been processed and verified. Updates will be provided on the Settlements' website at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com).

### **What are my rights?**

If you do nothing, you will be bound by the Court's decisions concerning these Settlements. If you want to keep your right to sue one or more of the Settling Defendants regarding Capacitor purchases, you must exclude yourself in writing from the Classes by December 23, 2019. If you stay in the Classes, you may object in writing to the Settlements by December 23, 2019. The Settlement Agreements, along with details on how to exclude yourself or object, are available at [www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com). The U.S. District Court for the Northern District of California will hold a hearing on January 23, 2020, at 10:00 a.m., at 450 Golden Gate Avenue, 19<sup>th</sup> Floor, Courtroom 11, San Francisco, CA 94102 to consider whether to finally approve the Settlements. Class Counsel may also request attorneys' fees of up to 30% of the Settlement Funds (\$10,377,000), plus reimbursement of costs and expenses, for investigating the facts, litigating the case, negotiating the Settlements, providing notice to the Classes, and/or claims administration. The total amount of these costs shall be no more than \$905,071.23. You or your own lawyer may appear and speak at the hearing at your own expense, but you don't have to. The hearing may be moved to a different date or time without additional notice, so it is a good idea to check the above-noted website for additional information. Please do not contact the Court about this case.

If the case against the other Defendants is not dismissed or settled, Class Counsel will have to prove their claims against the other Defendants at trial. Dates for the trial have not yet been set. The Court has appointed the law firm of Cotchett, Pitre & McCarthy, LLP to represent Indirect Purchaser Class members.

**For More Information: 1-866-217-4245/[www.capacitorsindirectcase.com](http://www.capacitorsindirectcase.com)**

## Contacts

Adam J. Zapala, (650) 697-6000

# EXHIBIT F

*In re Capacitors Antitrust Litigation*

	<u>Name</u>	<u>Exclusion ID #</u>	<u>Postmark Date</u>	<u>Settlements Opted Out Of</u>
1	Jeanne Pogorzelski	67369419	9/27/2019	Did not specify any Settling Defendants by name
2	Bruce Young	67369420	9/27/2019	Did not specify any Settling Defendants by name
3	Rick Smith	67369421	9/26/2019	Did not specify any Settling Defendants by name
4	Jonathan C Neisch	67369422	9/27/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>
5	Erik M Sauber	67369423	9/28/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>
6	Donald G. Becker	67369424	9/28/2019	<p>ELNA Matsuo Nichicon Panasonic</p>
7	William B Higinbotham	67369425	9/30/2019	Did not specify any Settling Defendants by name
8	Mike Sveta	67369426	9/30/2019	Did not specify any Settling Defendants by name
9	Perry Jennings	67369427	9/30/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>
10	Larry Kiser	67369428	9/30/2019	Did not specify any Settling Defendants by name
11	Ed Polakoff	67369429	9/30/2019	Did not specify any Settling Defendants by name
12	Michael Gillette	67369430	10/1/2019	Did not specify any Settling Defendants by name
13	AssetGenie, Inc dba AGiRepair	67369431	10/1/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>

Name		Exclusion ID #	Postmark Date	Settlements Opted Out Of
14	Dell Inc on behalf of itself and its wholly-woned subsidiaries (collectively "Dell")	67369432	10/2/2019	ELNA Matsuo Nichicon Panasonic
15	Eleanor Mae Wolf	67369433	10/3/2019	Did not specify any Settling Defendants by name
16	Jeff Hoffman	67369434	10/4/2019	Did not specify any Settling Defendants by name
17	Greg Bower	67369435	10/3/2019	ELNA Matsuo Nichicon Panasonic  *also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC
18	Michael DeSoto	67369436	10/2/2019	Did not specify any Settling Defendants by name  *did request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC; and for future activity with Nissei Electric Co., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd.
19	Pyramid One, Inc	67369437	10/1/2019	Did not specify any Settling Defendants by name
20	DeSoto Labs	67369438	10/2/2019	Did not specify any Settling Defendants by name  *did request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC; and for future activity with Nissei Electric Co., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd.
21	Stanley W Vikla	67369439	10/9/2019	Did not specify any Settling Defendants by name
22	James M. Tylman, Sr.	67369440	10/15/2019	Did not specify any Settling Defendants by name  *previously requested exclusion from future settlements with ELNA, Matsuo, Nichicon, Panasonic, Nissei Electric Co., Shinyei Technology Co., Ltd., Taitso Corp., and Toshin Kogyo Co., Ltd.
23	Bourgeois & Associates, Inc	67369441	10/19/2019	ELNA Matsuo Nichicon Panasonic  *also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC
24	Burge Trucking	67369442	10/17/2019	Did not specify any Settling Defendants by name
25	Group Spectral	67369443	10/21/2019	Did not specify any Settling Defendants by name

Name		Exclusion ID #	Postmark Date	Settlements Opted Out Of
26	Jacob Swary	67369444	11/23/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p> <p>**also indicated he objects to the settlements</p>
27	Tech 22	67369445	12/19/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>
28	Panasonic Automotive Systems Company of America	67369446	12/14/2019	<p>ELNA Matsuo Nichicon Panasonic</p> <p>*also listed request for exclusion from previous settlements with NEC TOKIN, OEI, Nitsuku, Hitachi, Soshin, Rubycon, Holy Stone and NCC/UCC</p>