

No. S-132353
Vancouver Registry

In the Supreme Court of British Columbia

Between

DARREN EWERT

Plaintiff

and

**DENSO CORP.; DENSO INTERNATIONAL AMERICA, INC.;
TECHMA CORPORATION; DENSO MANUFACTURING
CANADA, INC.; DENSO SALES CANADA, INC.; FUJIKURA
LTD.; FUJIKURA AMERICA, INC.; FURUKAWA ELECTRIC
CO., LTD.; AMERICAN FURUKAWA, INC.; LEAR CORP.;
KYUNGSHIN-LEAR SALES AND ENGINEERING, LLC; LEONI
AG; LEONI WIRING SYSTEMS, INC.; LEONISCHE HOLDING,
INC.; LEONI KABEL GMBH; LEONI WIRE INC.; LEONI
ELOCAB LTD.; SUMITOMO ELECTRIC INDUSTRIES, LTD.;
SUMITOMO WIRING SYSTEMS, LTD.; SUMITOMO ELECTRIC
WIRING SYSTEMS, INC.; K&S WIRING SYSTEMS, INC.;
SUMITOMO WIRING SYSTEMS (U.S.A.) INC.; SUMITOMO
ELECTRIC WINTEC AMERICA, INC.; S-Y SYSTEMS
TECHNOLOGIES EUROPE GMBH; YAZAKI CORPORATION;
YAZAKI NORTH AMERICA, INC.; TRAM, INC.; TOKAI RIKAI
CO., LTD.; TRQSS, INC.; G.S. ELECTECH, INC.; G.S. WIRING
SYSTEMS INC.; G.S.W. MANUFACTURING, INC.**

Defendants

BROUGHT UNDER THE *CLASS PROCEEDINGS ACT*, R.S.B.C. 1996, c. 50

ORDER MADE AFTER APPLICATION

BEFORE THE HONOURABLE MADAM JUSTICE)
GRIFFIN) 10/Dec/2014
)

ON THE APPLICATION of the Plaintiff coming on for hearing at the Courthouse, 800 Smithe Street, Vancouver, BC, on 10/Dec/2014 and on hearing David G.A. Jones and Michelle Segal for the plaintiff; Sandra Forbes for the defendants Denso Corporation, Denso International America Inc., Denso Manufacturing Canada, Inc. and Techma Corporation; H. David Edinger for the defendants Tokai Rika Co., Ltd., TRAM, Inc. and TRQSS, Inc.; Joan Young, Neil Campbell and Martin Masse for the defendants

Sumitomo Electric Industries, Ltd., Sumitomo Wiring Systems, Ltd., Sumitomo Electric Wiring Systems, Inc., K& S Wiring Systems, Inc., Sumitomo Wiring Systems (U.S.A.) Inc. and Sumitomo Electric Wintec America, Inc.; Paul Martin for the defendants G.S. Electech, Inc., G.S.W. Manufacturing, Inc. and G.S. Wiring Systems Inc.; James Gotowiec for the defendants Leoni Wiring Systems, Inc., Leonische Holdings, Inc., Leoni Wire Inc. and Leoni Elocab Ltd.; Katherine Kay for the defendants S-Y Systems Technologies Europe GMBH; Robin Reinertson for the defendants Yazaki North America, Inc. and Yazaki Corporation; Ren Bucholz for the defendant Kyungshin-Lear Sales and Engineering, LLC; Jill Yates for the defendant Lear Corp.; J. Kevin Wright and Todd Shikaze for the defendants Furukawa Electric Co., Ltd. and American Furukawa, Inc.; and Claire Hunter for the defendants Fujikura Ltd. and Fujikura America, Inc.;

UPON READING the materials filed, including the Settlement Agreement dated November 11, 2014 and attached to this Order as **Schedule "A"** (the "Settlement Agreement"), and on hearing the submissions of counsel for the Plaintiffs, Counsel for Lear Corporation and Kyungshin-Lear Sales and Engineering, LLC (the "Settling Defendants") and counsel for the Non-Settling Defendants in the British Columbia action;

AND ON BEING ADVISED that NPT RicePoint Class Action Services Inc. has consented to being appointed as notice provider in accordance with the terms of this Order;

THIS COURT ORDERS that:

1. for the purposes of this Order, except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement attached as **Schedule "A"** apply to and are incorporated into this Order;
2. the abbreviated, publication, and long-form notices of settlement approval hearing are hereby approved substantially in the forms attached respectively hereto as **Schedules "B" to "D"**; etc.;
3. the plan of dissemination for the abbreviated, publication, and long-form notices of settlement approval hearing (the "Plan of Dissemination") is hereby approved in the form attached hereto as **Schedule "E"** and that the notices of settlement approval hearing shall be disseminated in accordance with the Plan of Dissemination;
4. NPT RicePoint Class Action Services Inc. is appointed to disseminate the abbreviated, publication, and long-form notices of settlement approval hearing in accordance with the terms of this Order;
5. the British Columbia Action is certified as a class proceeding as against the Settling Defendants for settlement purposes only;
6. the "British Columbia Settlement Class" is certified as follows:

All persons in British Columbia who, during the Class Period, (a) purchased directly or indirectly, an Automotive Wire Harness System; and/or (b) purchased or leased, directly or indirectly, a new or used automotive vehicle containing an Automotive Wire Harness System; and/or (c) purchased, for import into Canada, a new or used automotive vehicle containing an Automotive Wire Harness System. Excluded persons are excluded from the BC Settlement Class.

7. Darren Ewert is appointed as the representative plaintiff for the British Columbia Settlement Class;

8. the proceeding is certified on the basis that the following issue is common to the British Columbia Settlement Class:

Did the Settling Defendant(s), conspire to fix, raise, maintain or stabilize the prices of Automotive Wire Harness Systems in Canada and elsewhere during the class period? If so, what damages, if any, did Settlement Class Members suffer?

9. this Order is without prejudice to the rights and defences of the Non-Settling Defendants in connection with the ongoing British Columbia Action. No person may cite or refer to all or any part of this Order and any reasons given by the Court in connection with this Order as against any of the Non-Settling Defendants;

10. putative members of the British Columbia Settlement Class can opt out of the British Columbia Action by sending a written request to opt out to British Columbia Counsel, postmarked on or before the date that is sixty (60) days from the date of the first publication of the publication notice of settlement approval hearing attached hereto as **Schedule "C"**. The written election to opt out must include the information specified in the long-form notice of settlement approval hearing attached hereto as **Schedule "D"**;

11. where the postmark is not visible or legible, the election to opt out shall be deemed to have been postmarked four (4) business days prior to the date that it is received by British Columbia Counsel;


12. any putative member of the British Columbia Settlement Class who validly opts out of the British Columbia action shall not be able to participate in the British Columbia action and no further right to opt out of the British Columbia action will be provided;

13. within thirty (30) days of the Opt-Out Deadline, British Columbia Counsel shall provide to the Defendants a report containing the names of each Person who has validly and timely opted out of the Proceedings, the reason for the opt-out, if known, and a summary of the information delivered by such Person pursuant to paragraph 10 above;

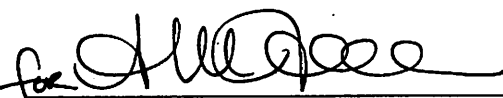
14. this Order is contingent upon parallel orders being made by the Ontario Court and the Québec Court, and the terms of this Order shall not be effective unless and until such orders are made by the Ontario Court and the Quebec Court; and

15. endorsement of this order by counsel for the Non-Settling Defendants is dispensed with.

THE FOLLOWING PARTIES APPROVE THE FORM OF THIS ORDER AND CONSENT TO EACH OF THE ORDERS, IF ANY, THAT ARE INDICATED ABOVE AS BEING BY CONSENT:



Signature of lawyer for the plaintiff
David G.A. Jones



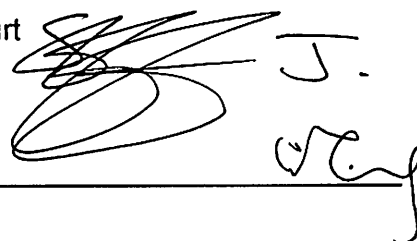
Signature of lawyer for Lear Corporation
Jill Yates

ENDORSEMENTS ATTACHED

Signature of lawyer for Kyungshin-Lear
Sales and Engineering, LLC
Ren Bucholz

By the Court

Registrar

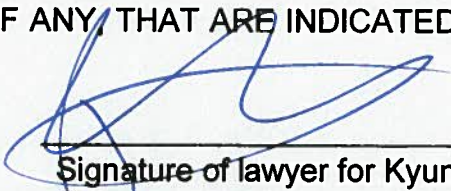

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W.C.

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Signature of lawyer for the plaintiff
David G.A. Jones



Signature of lawyer for Kyungshin-Lear
Sales and Engineering, LLC
Ren Bucholz

Signature of lawyer for Lear Corporation
Jill Yates

By the Court

Registrar

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CAMP FIORANTE MATTHEWS MOGERMAN
Barristers & Solicitors
#400 – 856 Homer Street
Vancouver, BC V6B 2W5

Tel: (604) 689-7555
Fax: (604) 689-7554
Email: service@cfmlawyers.ca

VIA MIKE BIKE