

No. S-157585
Vancouver Registry

In the Supreme Court of British Columbia

DANIEL KLEIN

Plaintiff

and

**PANASONIC CORPORATION, PANASONIC CORPORATION OF
NORTH AMERICA, PANASONIC INDUSTRIAL DEVICES SALES
COMPANY OF AMERICA, PANASONIC CANADA INC.; KOA
CORPORATION, KOA SPEER ELECTRONICS, INC., MURATA
MANUFACTURING CO., LTD., MURATA ELECTRONICS NORTH
AMERICA, INC., ROHM CO. LTD., ROHM SEMICONDUCTOR U.S.A.,
LLC, VISHAY INTERTECHNOLOGY, INC., YAGEO CORPORATION,
AND YAGEO AMERICA CORPORATION**

Defendants

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

**ORDER MADE AFTER APPLICATION
RE CERTIFICATION FOR KOA SETTLEMENT AND
NOTICE OF SETTLEMENT APPROVAL HEARING**



BEFORE THE HONOURABLE JUSTICE
BRONGERS

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)
)

9/Dec/2024

☐ ON THE APPLICATION of the plaintiff, Daniel Klein, without a hearing;

ON READING the materials filed, including the settlement agreement entered into with KOA Corporation and KOA Speer Electronics, Inc. (the "**Settling Defendants**") dated June 20, 2024 (the "**Settlement Agreement**");

AND ON BEING ADVISED that the Plaintiff and the Settling Defendants consent to this Order and that the Non-Settling Defendants take no position on this application;

AND ON BEING ADVISED that RicePoint Administration Inc. dba Verita Global, LLC has consented to being appointed as notice provider in accordance with the terms of this Order;

AND ON BEING ADVISED that the Ontario Court approved a parallel order on October 15, 2024.

THIS COURT ORDERS that:

1. except to the extent that they are modified in this Order, the definitions set out in the Settlement Agreement apply to and are incorporated into this Order;
2. the BC Action is certified as a class proceeding as against the Settling Defendants for settlement purposes only;
3. the BC Settlement Class is certified as:

All Persons in British Columbia who purchased Linear Resistors¹ or a product containing Linear Resistors during the Class Period² except Excluded Persons³

¹*Linear Resistors* means electronic components that provide a specific amount of resistance to an electronic circuit, including without limitation, chip, chip resistor networks, metal plate and other fixed resistors, and variable resistors.

²*Class Period* means July 9, 2003 to September 14, 2015.

³*Excluded Person* means each Defendant, the directors and officers of each Defendant, the subsidiaries or affiliates of each Defendant, the entities in which each Defendant or any of that Defendant's subsidiaries or affiliates have a controlling interest and the legal representatives, heirs, successors and assigns of each of the foregoing.


4. the BC Action is certified on the basis of the following issue which is common to the BC Settlement Class:

Did the Settling Defendants conspire to fix, raise, maintain or stabilize the price of, or allocate markets and customers of, Linear Resistors directly or indirectly in Canada during the Class Period?

5. the opt-out period provided pursuant to the Order of this Court made on June 16, 2021, satisfied the requirement of section 16 of the *Class Proceedings Act*, RSBC 1996, c 50. For the purposes of this action, the opt-out period expired on January 29, 2021 and no further opt-out period is required;
6. the plaintiff, Daniel Klein is appointed as the representative plaintiff for the BC Settlement Class;
7. the short-form, long-form, banner ad, and press release notices of certification and settlement approval hearing (the “**Notice**”) is hereby approved substantially in the form attached as **Schedules “A” – “D”**;
8. the plan of dissemination of the Notice (the “**Plan of Dissemination**”) is hereby approved in the form attached as **Schedule “E”** and that the Notice shall be disseminated in accordance with the Plan of Dissemination;
9. Verita Global, LLC is appointed to disseminate the Notice in accordance with the terms of this Order;
10. 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 Québec Court;
11. if the Settlement Agreement is not approved, is terminated in accordance with its terms, or otherwise fails to take effect for any reason, this Order shall be deemed to have been set aside and declared null and void and of no force or effect, without the need for any further Order of this Court; and

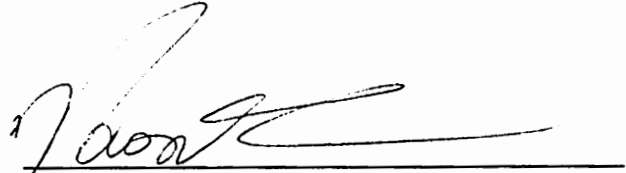
12. endorsement of this Order by counsel for the Non-Settling Defendants shall be dispensed with.

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

with
permission
of Michelle Segal



Signature of lawyer KOA Corporation
and KOA Speer Electronics, Inc.

with
permission
of Katherine Kay

By the Court



Registrar

CANADIAN LINEAR RESISTORS CLASS ACTIONS

Did you purchase linear resistors or an electronic device containing linear resistors between July 9, 2003 and September 14, 2015? If so, your legal rights could be affected.

WHAT IS THE CLASS ACTION ABOUT?

A "linear resistor" is an electronic component used to regulate the current in an electrical circuit. Linear resistors are found in electronics like computers, smartphones, gaming consoles, home appliances and televisions, among other products.

Class actions have been initiated on behalf of persons in Canada who purchased linear resistors or products containing linear resistors between July 9, 2003 and September 14, 2015 ("Settlement Class Members"). The proceedings allege that the defendants unlawfully conspired to fix, raise, maintain, or stabilize the price of linear resistors in Canada. The defendants deny the allegations and any liability whatsoever in respect of the plaintiffs' claims.

The deadline for Class Members to opt out of the class actions has passed. If you did not opt out, you are legally bound by the result of the class actions, including the KOA and Susumu settlements.

PROPOSED SETTLEMENTS

Settlements were reached with the following defendants:

- KOA Corporation and KOA Speer Electronics, Inc. (collectively "KOA") - CAD \$3.3 million.
- Susumu Co., Ltd. and Susumu International (USA) Inc. (collectively "Susumu") - CAD \$90,000.

In exchange for the settlement amount, KOA and Susumu will be provided with a full release of the claims against them in relation to the Class Actions. The settlements are not an admission of liability, fault, or wrongdoing, but are a compromise of disputed claims. If approved, the settlements will resolve the Class Actions in their entirety.

Four prior settlements were achieved in the class actions.

SETTLEMENT APPROVAL HEARINGS

The settlements must be approved by the Ontario, British Columbia and/or Québec Courts before they become effective. At the settlement approval hearings, the courts will determine whether the settlements are fair, reasonable, and in the best interest of Settlement Class Members.

Hearings seeking approval of the settlements are to take place at:

- the Ontario Superior Court of Justice on ●, 2024 at ●am by virtual hearing;
- the British Columbia Supreme Court on ●, 2024 at ●am, **in-person at 800 Smithe Street, Vancouver** (KOA only); and

- the Superior Court of Québec on ●, 2024 at ●am in person at 1 Notre Dame Street, Montreal, court room ● and by virtual hearing.

If you wish to comment on or object to the settlement agreements or the fee request of Class Counsel, you must deliver a written submission to Foreman & Company, 4 Covent Market Place, London ON N6A 1E2 or by e-mail to classactions@foremancompany.com, postmarked no later than ●, 2024. The lawyers will forward any submissions to the courts.

If you want to attend the settlement approval hearing, contact Class Counsel for instructions on how to join the hearing.

DISTRIBUTION OF SETTLEMENT FUNDS

The aggregate settlement funds recovered in the Class Actions (CAD \$8,970,750), plus accrued interest and minus Court-approved Class Counsel fees, disbursements and applicable taxes, are being held in an interest-bearing trust account for the benefit of Settlement Class Members.

A further notice will be provided regarding the proposed methodology for distributing the settlement funds, including who is eligible to claim, how claims will be valued, and the deadline and process for filing a claim. To receive this notice, register at www.foremancompany.com/linear-resistors.

COUNSEL FEES

The lawyers working on the Class Actions will seek Court approval of fees of up to 30% of the gross settlement amounts recovered in the Class Actions plus disbursements, and applicable taxes, minus previously approved legal fees. This request may be heard in whole or in part by the courts at the same time as the settlement approval hearings or at a later date. If approved, this amount will be paid from the settlement funds.

YOU ARE REPRESENTED BY:

Foreman & Company and **Siskinds ^{LLP}** (Canada Settlement Class Members except QC and BC): 1-855-814-4575 ext. 106 or classactions@foremancompany.com

Belleau Lapointe, s.e.n.c.r.l. (QC Settlement Class Members): 1-888-987-6701 or info@belleaulapointe.com

CFM Lawyers LLP (BC Settlement Class Members): 1-800-689-2322 or info@cfmlawyers.ca

MORE INFORMATION

More information – including the more detailed long-form notice – is available at www.foremancompany.com/linear-resistors.

LINEAR RESISTORS CLASS ACTION

NOTICE OF CERTIFICATION AND SETTLEMENT APPROVAL HEARINGS

This notice may affect your legal rights. Please read carefully.

A. WHO IS THIS NOTICE DIRECTED TOWARDS?

All persons and entities in Canada who purchased linear resistors or a product containing linear resistors between July 9, 2003 and September 14, 2015 (the "Class Period"), except the defendants and entities related to the defendants (the "Settlement Class" or "Settlement Class Members").

A "linear resistor" is an electronic component used to regulate the current in an electrical circuit. Linear Resistors are found in electronics like computers, smartphones, gaming consoles, home appliances and televisions, among other products.

B. WHAT IS A CLASS ACTION?

A class action is a lawsuit filed by one person on behalf of a large group of people that has been "certified" or "authorized" by a Canadian court and determines "common issues" for the group of people, known as the "class".

C. WHAT ARE THESE CLASS ACTIONS ABOUT?

In 2015, class proceedings were initiated in Ontario by Foreman & Company and Siskinds ^{LLP}, in British Columbia by CFM Lawyers ^{LLP} and in Québec by Belleau Lapointe, s.e.n.c.r.l. (collectively "Class Counsel") on behalf of Canadians who purchased a linear resistor or products containing linear resistors during the Class Period (the "Class Actions"). These Class Actions claim that the companies that sell linear resistors were involved in a conspiracy to unlawfully increase the prices of these products. The Class Actions ask the courts to order the defendants to return any extra money that they have received due to this alleged conspiracy.

The defendants deny that they engaged in any unlawful conduct and deny any liability whatsoever in respect of the plaintiffs' claims. The Courts have not decided who is right. The plaintiffs and the KOA and Susumu defendants have reached proposed settlements to avoid the uncertainties, risks, and costs of further litigation. The representative plaintiffs and Class Counsel consider the settlements to be fair, reasonable and in the best interests of the Settlement Class.

While the Class Actions were started in Ontario, British Columbia and Québec, the cases include all persons or entities who purchased a linear resistor or a product containing linear resistors in all provinces and territories in Canada during the Class Period.

The Class Actions were certified (authorized in Quebec) on behalf of the Settlement Class by the Ontario, British Columbia and/or Quebec Courts by consent orders. The certification (authorization) is conditional on the settlements being approved by the Courts. The deadline for

opting out of the Class Actions has passed.

D. WHAT IS A SETTLEMENT AND WHAT PROPOSED SETTLEMENTS HAVE BEEN REACHED IN THESE CLASS ACTIONS?

The Proposed Settlements

A settlement is when a defendant agrees to pay money to the members of the class action in exchange for having the case against it dismissed and the claims released.

In the Class Actions, proposed settlements have been reached with:

- KOA Corporation and KOA Speer Electronics, Inc. (collectively “KOA”) for CAD \$3.3 million; and
- Susumu Co., Ltd. and Susumu International (USA) Inc. (collectively “Susumu”) for CAD \$90,000.

KOA and Susumu are collectively referred to as the “Settling Defendants”. The Settling Defendants have agreed to pay the amounts listed above in exchange for a full release of the claims against them and a dismissal of the Class Actions against them.

The settlements, which were separately negotiated over several months, are not an admission by the Settling Defendants of liability, fault, or wrongdoing, but are a compromise of disputed claims.

The KOA and Susumu are the final group of defendants to settle the Class Actions. Four prior settlements, totalling CAD \$5,580,750, have been reached with the Panasonic, Kamaya, ROHM, and HDK defendants. These settlements were approved by previous orders of the Courts.

If the settlements are approved, the Class Actions will be resolved in their entirety. If the settlements are not approved or are otherwise terminated in accordance with their terms, the certification/authorization orders will not stand and the litigation will continue against KOA and/or Susumu.

The Settlement Approval Hearings

The settlements with KOA and Susumu are subject to Court approval. There will be settlement approval hearings in Ontario, British Columbia and Québec for the KOA settlement, and in Ontario and Québec for the Susumu settlement. At these hearings, the Courts will determine whether the settlements are fair, reasonable, and in the best interests of the Settlement Class.

These hearings are to take place at:

- the Ontario Superior Court of Justice on ●, 2024 at ● am by virtual hearing;
- the British Columbia Supreme Court on ●, 2024 at ● am, in person at 800 Smithe Street, Vancouver, BC V6Z 2E1 (KOA only); and

- the Superior Court of Québec on ●, 2024 at ● am in person at 1 Notre Dame Street, Montreal, Quebec, court room ● and by virtual hearing.

Settlement Class members who do not oppose the settlements and/or Class Counsel fees (see Part G below) are not required to appear at the settlement approval hearing or take any other action at this time. Settlement Class members who consider it desirable or necessary to seek the advice and guidance of their own lawyers may do so at their own expense.

Objections

At the settlement approval hearing, the Courts will consider any objections to the settlements and/or Class Counsel fees (see Part G below) by individual Settlement Class members. Objections must be submitted by email to classactions@foremancompany.com or by mail to Foreman & Company, 4 Covent Market Place, London ON N6A 1E2, postmarked no later than ●, 2024.

A written objection should include the following information:

- a. the objector's name, current mailing address, telephone number, and email address;
- b. the reason why the objector believes that they are a Settlement Class member;
- c. a brief statement of the nature of and reasons for the objection; and
- d. whether the objector intends to appear at the hearing in person or by counsel. If the objector is appearing by counsel, the name, address, telephone number, and email address of counsel.

The written submissions can be provided in English or French (if necessary, an unofficial translation will be provided to the Courts).

Class Counsel will provide a copy of any written submissions to the Courts.

Attending the Settlement Approval Hearing

Settlement class members may (but do not need to) attend the settlement approval hearing.

You may attend the Ontario or Quebec settlement approval hearing virtually or the British Columbia approval hearing in person, as an observer or to make oral submissions to the Court. If you want to make oral submissions, you must indicate that in your written objection.

If you wish to attend and/or make oral submissions, please contact Class Counsel no later than [date].

E. WHEN WILL THE SETTLEMENT AMOUNTS BE DISTRIBUTED?

The aggregate settlement funds recovered in the Class Actions (CAD \$8,970,750), plus accrued interest and minus Court-approved Class Counsel fees, disbursements and applicable taxes, are being held in an interest-bearing trust account for the benefit of Settlement Class Members.

A further notice will be provided regarding the proposed methodology for distributing the

settlement funds, including who is eligible to claim, how claims will be valued, and the deadline and process for filing a claim. To receive a copy of this notice, please register with Class Counsel at www.foremancompany.com/linear-resistors.

F. WHO ARE THE LAWYERS WORKING ON THESE CLASS ACTIONS (“CLASS COUNSEL”)?

Foreman & Company and Siskinds^{LLP} represent Settlement Class Members in Canada excluding Québec and British Columbia (as applicable). Foreman & Company can be reached at:

- Toll free at 1-855-814-4575 ext. 107, by e-mail at classactions@foremancompany.com or by mail at 4 Covent Market Place, London, Ontario N6A 1E2, Attention: Anni Barry.

Siskinds can be reached:

- Toll free at 1-800-461-6166, by email at resistors@siskinds.com or by mail at 275 Dundas Street, Unit 1, P.O. Box 2520, London ON N6B 3L1, Attention: Jennifer Bald.

Belleau Lapointe s.e.n.c.r.l. represents Settlement Class Members in Québec. Belleau Lapointe s.e.n.c.r.l. can be reached at:

- Toll free at 1-888-987-6701, by e-mail at info@belleaulapointe.com or by mail at 300, Place d’Youville, Bureau B-10, Montréal, Québec H2Y 2B6, Attention: Mélissa Bazin.

CFM Lawyers^{LLP} represents Settlement Class Members resident in British Columbia. Camp Fiorante Matthews Mogerman^{LLP} can be reached at:

- Toll free at 1-800-689-2322, by e-mail at info@cfmlawyers.ca or by mail at Suite 400, 856 Homer Street, Vancouver, British Columbia V6B 2W5, Attention: Sharon Wong.

G. HOW WILL CLASS COUNSEL BE PAID?

You do not have to pay Class Counsel any money out of pocket. If approved by the Courts, Class Counsel will be paid from the money collected in these Class Actions. The Courts will be asked to decide how much Class Counsel will be paid. Class Counsel will collectively be asking at the settlement approval hearings that the Courts approve legal fees of up to 30% of the gross settlement amounts recovered in the Class Actions plus disbursements and applicable taxes, minus previously approved legal fees. This request may be heard in whole or in part by the courts at the same time as the settlement approval hearings or at a later date if so directed by the court(s).

Any approved Class Counsel fees, disbursements and applicable taxes will be paid out of the applicable settlement funds.

H. WHERE CAN I ASK MORE QUESTIONS?

This notice is given to you on the basis that you may be a Settlement Class member whose rights could be affected by the Class Actions. This notice should not be understood as an expression of any opinion of the Courts as to the merits of any claim or defences asserted in the Class Actions.

Its sole purpose is to inform you of the Class Actions so that you may decide what steps to take in relation to them.

This notice contains a summary of the Class Actions and the settlements. Further details regarding the Class Actions and the settlements can be found on the following website: www.foremancompany.com/linear-resistors.

If you have questions that are not answered online, please contact Class Counsel identified above.

This notice contains a summary of some of the terms of the Settlement Agreements. If there is a conflict between the provisions of this notice and the Settlement Agreements, including the schedules to the Settlement Agreements, the terms of the Settlement Agreements and/or the Court orders shall prevail.

Inquiries should not be directed to the Courts.



DIGITAL MEDIA MESSAGING & DESIGN SAMPLES

Linear Resistors Class Actions – Notice of Certification & Settlement Approval Hearings (ROHM & HDK)
March 29, 2023
RicePoint Administration Inc.

NOTE: All creatives displayed herein are for representative purposes only and are not to scale. Some ads are built on responsive platforms and may not display all text in view based on placement, screen size, etc.

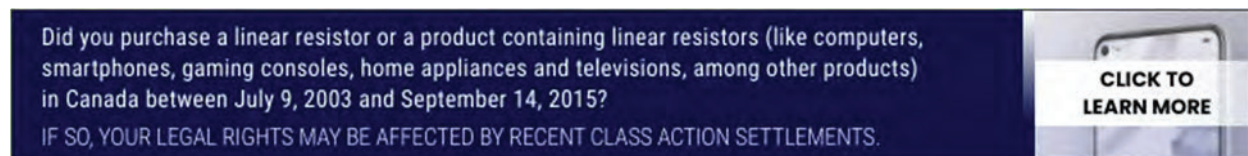
Google Display – English



300x600



300x250



728x90

Display Text:

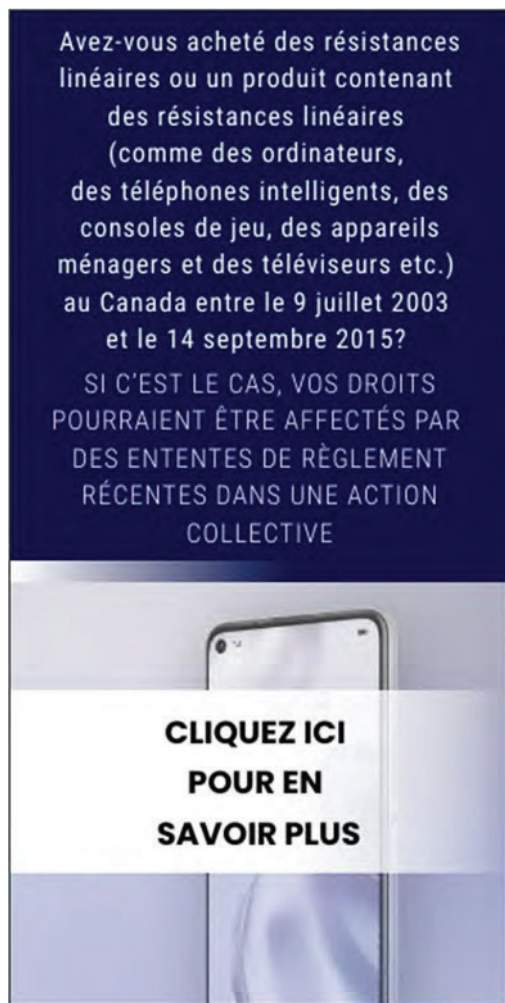
Did you purchase a linear resistor or a product containing linear resistors (like computers, smartphones, gaming consoles, home appliances and televisions, among other products) in Canada between July 9, 2003 and September 14, 2015?

IF SO, YOUR LEGAL RIGHTS MAY BE AFFECTED BY RECENT CLASS ACTION SETTLEMENTS.

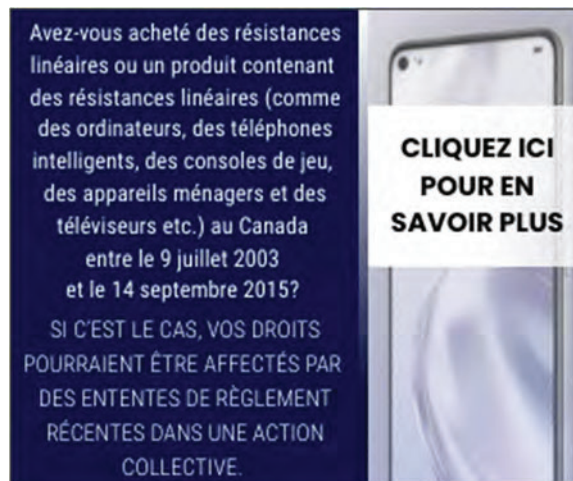
CLICK TO LEARN MORE

Click-through URL: <https://www.foremancompany.com/linear-resistors>

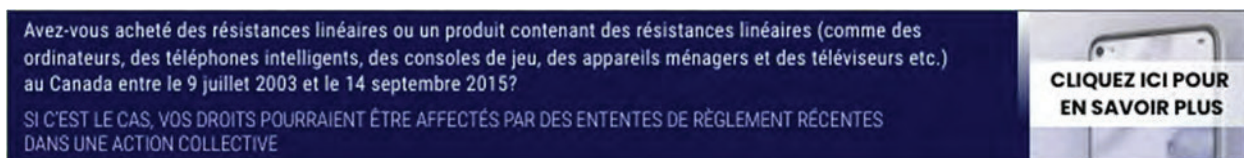
Google Display – French



300x600



300x250



728x90

Display Text:

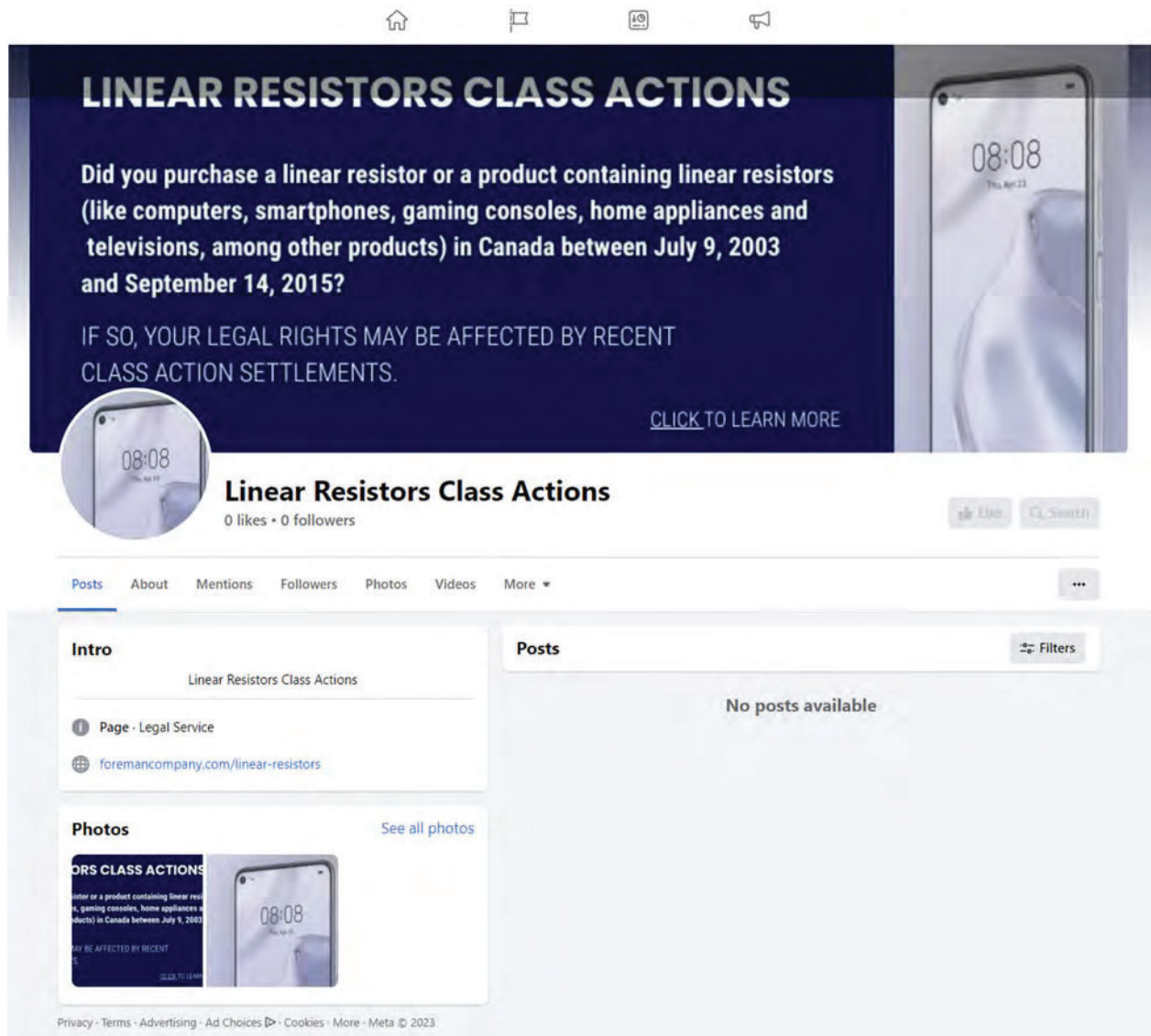
Avez-vous acheté des résistances linéaires ou un produit contenant des résistances linéaires (comme des ordinateurs, des téléphones intelligents, des consoles de jeu, des appareils ménagers et des téléviseurs etc.) au Canada entre le 9 juillet 2003 et le 14 septembre 2015?

SI C'EST LE CAS, VOS DROITS POURRAIENT ÊTRE AFFECTÉS PAR DES ENTENTES DE RÈGLEMENT RÉCENTES DANS UNE ACTION COLLECTIVE.

CLIQUEZ ICI POUR EN SAVOIR PLUS

Click-through URL: <https://www.foremancompany.com/resistances-lineaires>

Facebook – English



Facebook Page

Page Name: Linear Resistors Class Actions

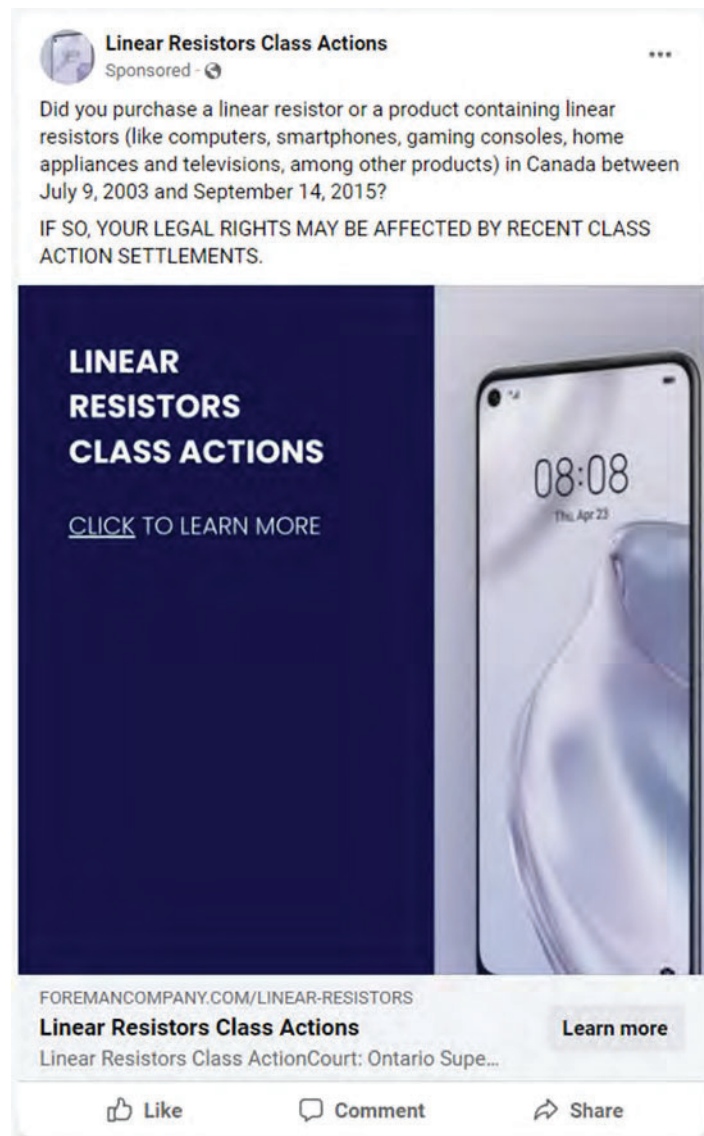
Display Text:

Did you purchase a linear resistor or a product containing linear resistors (like computers, smartphones, gaming consoles, home appliances and televisions, among other products) in Canada between July 9, 2003 and September 14, 2015?


IF SO, YOUR LEGAL RIGHTS MAY BE AFFECTED BY RECENT CLASS ACTION SETTLEMENTS.

[CLICK TO LEARN MORE](#)

Facebook Ads – English



A screenshot of a Facebook advertisement for the Linear Resistors Class Actions. The ad features a dark blue background on the left with white text, and a photograph of a smartphone on the right. The text in the ad asks if the user purchased a linear resistor or a product containing linear resistors in Canada between July 9, 2003 and September 14, 2015, and states that their legal rights may be affected by recent class action settlements. It includes a link to learn more and a 'Learn more' button. The ad is sponsored by Foreman Company.

Linear Resistors Class Actions
Sponsored · 

Did you purchase a linear resistor or a product containing linear resistors (like computers, smartphones, gaming consoles, home appliances and televisions, among other products) in Canada between July 9, 2003 and September 14, 2015?

IF SO, YOUR LEGAL RIGHTS MAY BE AFFECTED BY RECENT CLASS ACTION SETTLEMENTS.




**LINEAR
RESISTORS
CLASS ACTIONS**

[CLICK](#) TO LEARN MORE

FOREMANCOMPANY.COM/LINEAR-RESISTORS

Linear Resistors Class Actions [Learn more](#)

Linear Resistors Class Action Court: Ontario Super...

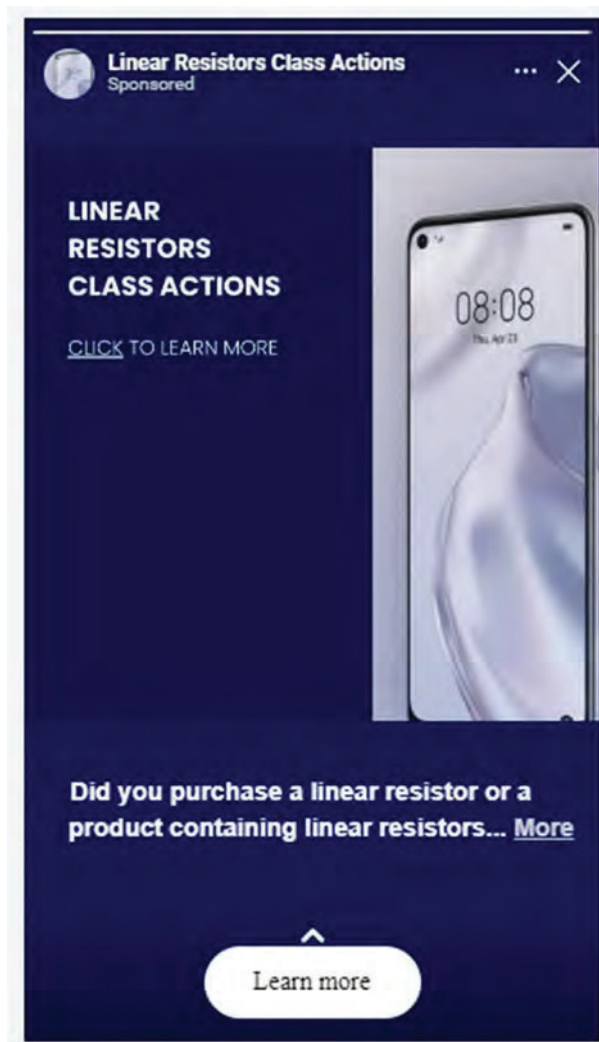
 Like  Comment  Share

Desktop Feed

Linear Resistors Class Actions – Notice of Certification & Settlement Approval Hearings



Mobile Feed



Stories

Display Text:

LINEAR RESISTORS CLASS ACTIONS

CLICK TO LEARN MORE

Description:

Did you purchase a linear resistor or a product containing linear resistors (like computers, smartphones, gaming consoles, home appliances and televisions, among other products) in Canada between July 9, 2003 and September 14, 2015?

IF SO, YOUR LEGAL RIGHTS MAY BE AFFECTED BY RECENT CLASS ACTION SETTLEMENTS.

Display URL: [foremancompany.com/linear-resistors](https://www.foremancompany.com/linear-resistors)

Click-through URL: <https://www.foremancompany.com/linear-resistors>

Facebook – French

NB: Platform UI will appear in English/French as appropriate to users based on their language preferences



Facebook Page

Page Name: Recours collectifs des résistances linéaires

Display Text:

Avez-vous acheté des résistances linéaires ou un produit contenant des résistances linéaires (comme des ordinateurs, des téléphones intelligents, des consoles de jeu, des appareils ménagers et des téléviseurs etc.) au Canada entre le 9 juillet 2003 et le 14 septembre 2015?

SI C'EST LE CAS, VOS DROITS POURRAIENT ÊTRE AFFECTÉS PAR DES ENTENTES DE RÈGLEMENT RÉCENTES DANS UNE ACTION COLLECTIVE.

[CLIQUEZ ICI](#) POUR EN SAVOIR PLUS

Facebook Ads – French

Recours collectifs des résistances linéaires
Sponsored · 🌐

Avez-vous acheté des résistances linéaires ou un produit contenant des résistances linéaires (comme des ordinateurs, des téléphones intelligents, des consoles de jeu, des appareils ménagers et des téléviseurs etc.) au Canada entre le 9 juillet 2003 et le 14 septembre 2015?

SI C'EST LE CAS, VOS DROITS POURRAIENT ÊTRE AFFECTÉS PAR DES ENTENTES DE RÈGLEMENT RÉCENTES DANS UNE ACTION COLLECTIVE.

[See Translation](#)

**RECOURS
COLLECTIFS DES
RÉSISTANCES
LINÉAIRES**

[CLIQUEZ ICI](#)
POUR EN SAVOIR PLUS

FOREMANCOMPANY.COM/RESISTANCES-LINEAIRES

Recours collectifs des résistances linéaires [Learn more](#)

Recours collectif des résistances linéairesTribun...

👍 Like 💬 Comment ➦ Share

Desktop Feed



Mobile Feed



Stories

Display Text:

RECOURS COLLECTIFS DES RÉSISTANCES LINÉAIRES

[CLIQUEZ ICI](#) POUR EN SAVOIR PLUS

Description:

Avez-vous acheté des résistances linéaires ou un produit contenant des résistances linéaires (comme des ordinateurs, des téléphones intelligents, des consoles de jeu, des appareils ménagers et des téléviseurs etc.) au Canada entre le 9 juillet 2003 et le 14 septembre 2015?

SI C'EST LE CAS, VOS DROITS POURRAIENT ÊTRE AFFECTÉS PAR DES ENTENTES DE RÈGLEMENT RÉCENTES DANS UNE ACTION COLLECTIVE.

Display URL: [foremancompany.com/resistances-lineaires](https://www.foremancompany.com/resistances-lineaires)

Click-through URL: <https://www.foremancompany.com/resistances-lineaires>

Proposed Settlement Reached in Canadian Linear Resistors Class Actions

LONDON, ON – ●, 2024 – Two proposed Canada-wide settlements have been reached in proposed Canadian class actions concerning the alleged price fixing of linear resistors. The class actions were commenced on behalf of Canadians who purchased linear resistors and/or products containing linear resistors between July 2003 and September 2015 (the “settlement class”).

A “linear resistor” is an electronic component used to regulate the current in an electrical circuit. Linear resistors are found in electronics like computers, smartphones, gaming consoles, home appliances and televisions, among other products.

Proposed settlements have been reached with KOA Corporation and KOA Speer Electronics, Inc. (collectively “KOA”) for CAD \$3.3 million and Susumu Co., Ltd. and Susumu International (USA) Inc. (collectively “Susumu”) for CAD \$90,000. KOA and Susumu deny that there was any anti-competitive conduct and any liability for the acts alleged. The plaintiffs and the KOA and Susumu defendants have reached proposed settlements to avoid the uncertainties, risks, and costs of further litigation. If approved, the settlements will resolve the litigation in its entirety.

The proposed settlement agreements must be approved by the Ontario, British Columbia and/or Quebec Courts to be effective. Hearings to determine whether the proposed Settlement Agreements should be approved will take place on [date] in Ontario, [date] in British Columbia (KOA only), and [date] in Quebec. At the hearings, the Court will determine whether the proposed settlement agreements are fair, reasonable and in the best interests of the settlement class.

The aggregate settlement funds recovered in the class actions (CAD \$8,970,750), plus accrued interest and minus Court-approved Class Counsel fees, disbursements and applicable taxes, are being held in an interest-bearing trust account for the benefit of Settlement Class Members.

A further notice will be provided regarding the proposed methodology for distributing the settlement funds, including who is eligible to claim, how claims will be valued, and the deadline and process for filing a claim. To receive this notice, register at www.foremancompany.com/linear-resistors.

For more detailed information and to review the long-form notice, please visit www.foremancompany.com/linear-resistors.

Settlement Class Members are represented by:

Foreman & Company and Siskinds ^{LLP} (Canada except QC and BC, as applicable)

Belleau Lapointe, s.e.n.c.r.l. (QC)

Camp Fiorante Matthews Mogerman ^{LLP} (BC)

Media contacts:

English: Jonathan Foreman - classactions@foremancompany.com, 519-914-1175 x 102

French: Mélissa Bazin, mbazin@belleaulapointe.com 514-987-6676

**Linear Resistors – Plan of Dissemination
KOA & Susumu Settlement Agreements**

The Notices of Certification and Settlement Approval Hearing will be distributed in short-form, long-form, banner ad, and press release format (collectively the "Notices"). The Notices will be delivered via the following media:

1. The short- and long-form notices, a copy of the settlement agreements entered into by the parties, a copy of certification/authorisation for settlement purposes order(s) and a copy of any endorsements issued by the Ontario, Quebec and/or BC Courts in relation hereto will be posted on Ontario plaintiff counsel's dedicated Linear Resistors Class Action webpage, in English and French where applicable. This information will also be posted, in English and French where practicable, on the respective websites of plaintiff's counsel in the BC Action and the Québec Action.
2. A link to Ontario plaintiff counsels' dedicated Linear Resistors Class Action webpage, and/or the respective websites of plaintiff's counsel in the BC Action and the Québec Action as appropriate, will be posted on Class Counsel's social media accounts (including but not limited to LinkedIn and X.com (formerly known as Twitter)).
3. By distribution to major news and broadcast outlets across Canada, in English and French, through a press release on Canada Newswire with promotion through Canada Newswire's social media feeds.
4. The short-form notice will be provided to the following organizations, in English and in French, requesting voluntary distribution to their membership and/or that a copy of the short-form notice or information about the actions be posted on their website and social media channels, as applicable:
 - (a) The Consumers' Association of Canada

- (b) The Consumers' Council of Canada; and
- (c) Electro-Federation Canada.

The manner by which any Notices and/or information are distributed, if any, will be at the discretion of each organization.

5. There will a nationally syndicated digital distribution of the banner ad on the Google Display Network, the Meta (Facebook/Instagram) network, and to news media websites within the PostMedia network for a period of sixty (60) days, with a target of a minimum 1,000,000 unique impressions. The banner ad will be provided in English and/or French as applicable, and may be modified as necessary to fit the dimensions and specifications as required by particular websites and media providers. The banner ad will redirect class members to the settlement websites where they will be able to consult the long-form notice among other case documents.
6. Within seven (7) days of the first publication of the Notices, the short-form notice will be sent by direct mail and/or e-mail to:
 - (a) All persons who have registered to receive updates from Class Counsel about the litigation;
 - (b) Any Canadian customers of the Settling Defendants disclosed to Class Counsel by the Settling Defendants; and
 - (c) Any Canadian customers of the previously settled defendants, disclosed to Class Counsel by those defendants pursuant to their respective settlements.

7. The short-form notice will be mailed to potential Linear Resistor purchaser companies from the “Canadian Importers Database” pulled from Industry Canada under imported product code HS6 – 853310 – Electrical Resistors – fixed carbon, composition or film type, except to those addresses where the mail was undeliverable. Appended to this Plan of Dissemination as **Schedule “A”** is a copy of the list of Linear Resistor purchaser companies where the mailing was successfully delivered in prior notice programs. For importers located in Québec, the short-form notice will be sent in English and French.

SCHEDULE "A"

ARROW ELECTRONICS CANADA LTD
AUTOLIV ELECTRONICS CANADA INC
AVNET INTERNATIONAL (CANADA) LTD/AVNET INTERNATIONAL (CANADA
CHEMICALS DIV
CITY OF CALGARY
CREATION TECHNOLOGIES LP
DIGI-KEY CORPORATION
DIGITAL SECURITY CONTROLS
HONEYWELL LIMITED /HONEYWELL LIMITEE
HUMAN RESOURCES AND SOCIAL DEVELOPMENT CANADA
L-3 COMMUNICATIONS ELECTRONIC SYSTEMS INC
MACDONALD DETTWILER AND ASSOCIATES CORPORATION
MONARCH INDUSTRIES LIMITED
NEWARK ELECTRONICS CANADA
PRATT & WHITNEY CANADA CORP /PRATT & WHITNEY CANADA CIE
RDC CONTROLE LTEE / RDC CONTROL LTD.
ROGERS COMMUNICATIONS PARTNERSHIP
S-P INTERNATIONAL (B.C.) INC.
SANMINA-SCI CORPORATION
SMITHS DETECTION MONTREAL INC.
SYSTEMES DE SECURITE PARADOX LTEE
TASK MICRO-ELECTRONICS INC
TTI (MONTREAL)
TTI, INC.

No. S-157585
Vancouver Registry

In the Supreme Court of British Columbia

Between

DANIEL KLEIN

Plaintiff

and

**PANASONIC CORPORATION, PANASONIC CORPORATION OF
NORTH AMERICA, PANASONIC INDUSTRIAL DEVICES SALES
COMPANY OF AMERICA, PANASONIC CANADA INC.; KOA
CORPORATION, KOA SPEER ELECTRONICS, INC., MURATA
MANUFACTURING CO., LTD., MURATA ELECTRONICS NORTH
AMERICA, INC., ROHM CO. LTD., ROHM SEMICONDUCTOR U.S.A.,
LLC, VISHAY INTERTECHNOLOGY, INC., YAGEO CORPORATION,
AND YAGEO AMERICA CORPORATION**

Defendants

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

ORDER MADE AFTER APPLICATION

CAMP FIORANTE MATTHEWS MOGERMAN LLP
Barristers & Solicitors
#400 – 856 Homer Street
Vancouver, BC V6B 2W5
Tel: (604) 689-7555
Fax: (604) 689-7554
Email: service@cfmlawyers.ca

via LMF