



Court File No.: 3795/14 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

The Honourable)
) Monday, the 31st day
Mr. Justice R. Raikes)
) of October, 2016

BETWEEN:

CYGNUS ELECTRONICS CORPORATION

Plaintiff

- and -

PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA;
PANASONIC CANADA INC.; SANYO ELECTRIC CO., LTD.; SANYO NORTH AMERICA
CORPORATION; TAIYO YUDEN CO., LTD.; TAIYO YUDEN (USA) INC.; TAIYO YUDEN
(USA) INC. O/A TAIYO YUDEN CANADA; NEC TOKIN CORPORATION; NEC TOKIN
AMERICA INC.; NEC CANADA INC.; KEMET CORPORATION; KEMET ELECTRONICS
CORPORATION; NIPPON CHEMI-CON CORPORATION; UNITED CHEMI-CON
CORPORATION; HITACHI CHEMICAL CO., LTD.; HITACHI CHEMICAL COMPANY
AMERICA, LTD.; HITACHI CANADA; NICHICON CORPORATION; NICHICON (AMERICA)
CORPORATION; AVX CORPORATION; RUBYCON CORPORATION; RUBYCON
AMERICA INC.; ELNA CO., LTD.; ELNA AMERICA INC.; MATSUO ELECTRIC CO., LTD.;
TOSHIN KOGYO CO., LTD.; VISHAY INTERTECHNOLOGY INC.; SAMSUNG ELECTRO-
MECHANICS; SAMSUNG ELECTRO-MECHANICS AMERICA INC.; SAMSUNG
ELECTRONICS CANADA INC.; ROHM CO., LTD.; ROHM SEMICONDUCTOR U.S.A., LLC.

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT*, 1992, S.O. 1992, c.6

Court File No.: 1573/16 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

CYGNUS ELECTRONICS CORPORATION and SEAN ALLOTT

Plaintiffs

- and -

HITACHI AIC INC.; HITACHI CHEMICAL ELECTRONICS CO., LTD., FPCAP ELECTRONICS (SUZHOU) CO., LTD.; FUJITSU LTD.; FUJITSU CANADA, INC.; HOLY STONE ENTERPRISE CO., LTD.; VISHAY POLYTECH CO., LTD. f/k/a HOLYSTONE POLYTECH CO., LTD.; and MILESTONE GLOBAL TECHNOLOGY, INC. d/b/a HOLYSTONE INTERNATIONAL

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992*, S.O. 1992, c.6

Court File No.: 1272/16 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

SEAN ALLOTT

Plaintiff

- and -

AVX CORPORATION; ELNA CO., LTD.; ELNA AMERICA INC.; HITACHI CHEMICAL CO., LTD.; HITACHI CHEMICAL COMPANY AMERICA, LTD.; HITACHI CANADA; HITACHI AIC INC.; KEMET CORPORATION; KEMET ELECTRONICS CORPORATION; MATSUO ELECTRIC CO., LTD.; NICHICON CORPORATION; NICHICON (AMERICA) CORPORATION; NIPPON CHEMI-CON CORPORATION; UNITED CHEMI-CON CORPORATION; NISSEI ELECTRIC CO. LTD.; NITSUKO ELECTRONICS CORPORATION; OKAYA ELECTRIC INDUSTRIES CO., LTD.; OKAYA ELECTRIC AMERICA, INC.; PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA; PANASONIC CANADA INC.; SANYO ELECTRIC CO., LTD.; SANYO ELECTRONIC DEVICE (U.S.A.) CORP.; SANYO NORTH AMERICA CORPORATION; ROHM CO., LTD.; ROHM SEMICONDUCTOR U.S.A., LLC f/k/a ROHM ELECTRONICS U.S.A., LLC; RUBYCON CORPORATION; RUBYCON AMERICA INC.; SHINYEI KAISHA; SHINYEI TECHNOLOGY CO., LTD.; SHINYEI CAPACITOR CO., LTD.; SHINYEI CORPORATION OF AMERICA; SHIZUKI ELECTRIC CO., LTD.; AMERICAN SHIZUKI CORPORATION; SOSHIN ELECTRIC CO., LTD.; SOSHIN ELECTRONICS OF AMERICA INC.; TAITSU CORPORATION; TAITSU AMERICA, INC.; TOSHIN KOGYO CO., LTD.; HOLY STONE ENTERPRISE CO., LTD.; MILESTONE GLOBAL TECHNOLOGY, INC. d/b/a HOLYSTONE INTERNATIONAL; VISHAY INTERTECHNOLOGY, INC.; and VISHAY POLYTECH CO., LTD. f/k/a HOLYSTONE POLYTECH CO., LTD.

Defendants

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992*, S.O. 1992, c.6

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

PRASAN PARIKHECH

Plaintiff

and

PANASONIC CORPORATION, PANASONIC CORPORATION OF NORTH AMERICA, PANASONIC CANADA INC., PANASONIC ECO SOLUTIONS CANADA INC., SANYO ELECTRIC GROUP, LTD., SANYO ELECTRONIC DEVICE (U.S.A.) CORPORATION, TAIYO YUDEN CO., LTD., TAIYO YUDEN (USA) INC., NEC CORPORATION, NEC TORN CORPORATION, NEC TOKIN AMERICA, INC., NEC CANADA, INC., KEMET CORPORATION, KEMET ELECTRONICS CORPORATION, NIPPON CHEMI-CON CORPORATION, UNITED CHEMI-CON CORPORATION, HITACHI CHEMICAL CO., LTD., HITACHI CHEMICAL CO. AMERICA, LTD., HITACHI AIC INC., HITACHI LTD., NICHICON CORPORATION, NICHICON (AMERICA) CORPORATION, AVX CORPORATION, RUBYCON CORPORATION, RUBYCON AMERICA INC., ELNA CO., LTD., ELNA AMERICA INC., MATSUE ELECTRIC CO., LTD., MATSUE ELECTRONICS OF AMERICA, INC., TOSHIN KOGYO CO., LTD., VISHAY INTERTECHNOLOGY, INC., SAMSUNG ELECTRO-MECHANICS, SAMSUNG ELECTRO-MECHANICS AMERICA, INC., SAMSUNG ELECTRONICS CANADA INC., ROHM CO., LTD., ROHM SEMICONDUCTOR U.S.A., LLC, TDK CORPORATION, TDK-EPC CORPORATION, TDK U.S.A. CORPORATION, and TDK-EPC CORPORATION OF CANADA

Defendants

Commenced pursuant to the Class Proceedings Act, 1992

Court File No. 14-61648

**ONTARIO
SUPERIOR COURT OF JUSTICE**

BETWEEN:

M. TAYLOR

Plaintiff

- and -

PANASONIC CORPORATION, PANASONIC CORPORATION OF NORTH AMERICA, PANASONIC CANADA INC., SANYO ELECTRIC CO., LTD., SANYO NORTH AMERICA CORPORATION, TAIYO YUDEN CO., LTD., TAIYO YUDEN (U.S.A.) INC., NEC TOKIN CORPORATION, NEC TOKIN AMERICA INC., KEMET CORPORATION, KEMET ELECTRONICS CORPORATION, MATSUE ELECTRIC CO., LTD., MATSUE ELECTRONICS OF AMERICA, INC., TOSHIN KOGYO CO., LTD., VISHAY

INTERTECHNOLOGY, INC., NICHICON CORPORATION, NICHICON (AMERICA) CORPORATION, NIPPON CHEMI-CON CORPORATION, UNITED CHEMI-CON CORPORATION, HITACHI CHEMICAL CO., LTD., HITACHI AIC INCORPORATED, HITACHI CHEMICAL COMPANY AMERICA, LTD., RUBYCON CORPORATION, RUBYCON AMERICA INC., ELNA CO., LTD., ELNA AMERICA INC., TDK CORPORATION, TDK-EPC CORPORATION, TDK U.S.A. CORPORATION, AVX CORPORATION, SAMSUNG ELECTRO-MECHANICS, SAMSUNG ELECTRO-MECHANICS AMERICA, INC., ROHM CO., LTD. AND ROHM SEMICONDUCTOR U.S.A., LLC

Defendants

Proceeding under the *Class Proceedings Act, 1992*

ORDER

THIS MOTION, made by the plaintiffs, Cygnus Electronics Corporation and Sean Allott, for an Order granting carriage to them and to their counsel Harrison Pensa LLP in the proposed Electrolytic Capacitors class actions under Ontario Court File Numbers: 3795/14 CP and 1573/16 CP and in the proposed Film Capacitors class action under Ontario Court File Number: 1272/16 CP over the Parikh Action which combines the alleged electrolytic and film capacitors claims under Ontario Court File Number: CV-14-51360300CP and the Taylor Action which combines the alleged electrolytic and film capacitors claims under Ontario Court File Number: 14-61648, was read this day at the Court House, 80 Dundas Street, London, Ontario.

ON READING the Carriage Motion Record filed by Cygnus Electronics Corporation and Sean Allott, the Certification Motion Record served by them contemporaneously on August 2, 2016, and the Minutes of the August 19, 2016 Case Management Conference; and on being advised that the Order is on consent of the plaintiffs in the Cygnus Electronics and Allott Actions, the Parikh Action and the Taylor Action and on being further advised that the defendants take no position on the relief requested:

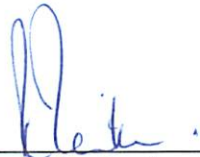
1. **THIS COURT ORDERS** that Harrison Pensa LLP is granted carriage of the proposed Electrolytic and Film Capacitors class actions, on behalf of the plaintiffs Cygnus Electronics Corporation and Sean Allott, in the matters of *Cygnus*

Electronics Corporation v. Panasonic Corporation, et al. (Court File No.: 3795/14 CP), *Cygnus Electronics Corporation and Sean Allott v. Hitachi AIC Inc., et al.* (Court File No.: 1573/16 CP) (the “Electrolytic Capacitors actions”) and *Sean Allott v. AVX Corporation, et al.* (Court File No.: 1272/16 CP) (the “Film Capacitors action”) (collectively the “Cygnus Electronics and Allott Actions”);

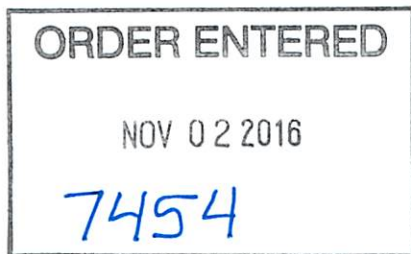
2. **THIS COURT ORDERS** that the action commenced by Consumer Law Group on August 11, 2014 in the matter of *M. Taylor v. Panasonic Corporation et al.*, Ottawa Court File No.: 14-61648 (the “Taylor Action”) is dismissed as abandoned, with prejudice.
3. **THIS COURT ORDERS** that the action commenced by Merchant Law Group on October 6, 2014 in the matter of *Prasan Parikh v. Panasonic Corporation et al.*, Toronto Court File No.: CV-14-51360300CP (the “Parikh Action”) is dismissed as abandoned, with prejudice as the claim was not served on any of the named defendants after it was issued and the timeline within which service must be completed has expired.
4. **THIS COURT ORDERS** that no other proceeding shall be commenced by Consumer Law Group or Merchant Law Group in Ontario in respect of the alleged price-fixing or other anti-competitive activity related to Electrolytic and Film Capacitors, without leave of the Case Management Judge in these proceedings.
5. **THIS COURT ORDERS** that no other proposed class proceeding shall be commenced in Ontario in respect of the matters raised in the Cygnus Electronics and Allott Actions, unless such an action is commenced by Cygnus Electronics and/or Allott in co-ordination with the proceedings already filed to date. Otherwise, without limiting the generality of the foregoing, no other proposed class proceeding shall be commenced in Ontario in respect of the alleged price-fixing or other anti-competitive activity related to Electrolytic and Film Capacitors, without leave of the Case Management Judge in these proceedings.

6. **THIS COURT ORDERS** that Harrison Pensa LLP will post a copy of this Order on its firm's "Capacitors Class Action" webpage.
7. **THIS COURT ORDERS** that Merchant Law Group will update its firm's "Capacitor Class Action" webpage to remove any reference to an Ontario capacitors class proceeding.
8. **THIS COURT ORDERS** that Consumer Law Group will update its firm's "Capacitor Price Fixing Anti-Competition National Class Action" webpage to remove any reference to an Ontario capacitors class proceeding.
9. **THIS COURT ORDERS** that no further notice, other than as outlined in paragraphs 6, 7 and 8 of this Order, is necessary.
10. **THIS COURT ORDERS** no costs to any parties on this Motion.

Date: *October 31 / 16*



Mr. Justice Russell Raikes



CYGNUS ELECTRONICS CORPORATION
CYGNUS ELECTRONICS CORPORATION et al.
SEAN ALLOTT
PRASAN PARIKHECH
M. TAYLOR

Plaintiffs

v. PANASONIC CORPORATION et al.
v. HITACHI AIC INC. et al.
v. AVX CORPORATION et al.
v. PANASONIC CORPORATION et al.
v. PANASONIC CORPORATION et al.

Defendants

Court File No. 3795/14 CP
Court File No. 1573/16 CP
Court File No. 1272/16 CP
Court File No. CV-14-51360300CP
Court File No. 14-61648

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

**ORDER
(Carriage)**

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