

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

If you directly purchased aluminum, tantalum or film capacitors between January 1, 2002 through July 22, 2015, you could be affected by a Class Action Settlement.

Please read this notice carefully.

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

- On January 24, 2019, the Hon. James Donato of the United States District Court for the Northern District of California approved a motion to preliminarily certify a settlement class of direct purchaser plaintiffs (“Plaintiffs”) in a class action lawsuit involving alleged agreements among certain manufacturers to raise or stabilize the prices for aluminum, tantalum and film capacitors (“Capacitors”).
- Settlements totaling USD \$108 million in non-contingent cash payments, plus up to an additional \$12 million in contingent payments, have been reached with Defendants Nichicon Corporation and Nichicon (America) Corporation (together, “Nichicon”); and Rubycon Corporation and Rubycon America Inc. (together, “Rubycon”) (Nichicon and Rubycon collectively, the “Settling Defendants”) in partial settlement of the class action lawsuit (the “Settlement Agreements”). The Settling Defendants expressly deny plaintiffs’ allegations, including that the Settling Defendants or any of their current or previous subsidiaries, business units, or affiliates engaged in the wrongdoing alleged by plaintiffs.
- The lawsuit is continuing against defendants that have not previously settled, including Panasonic Corporation; Panasonic Corporation of North America; SANYO Electric Co., Ltd.; SANYO North America Corporation; KEMET Corporation; KEMET Electronics Corporation; Nippon Chemi-Con Corporation; United Chemi-Con, Inc.; AVX Corporation; ELNA Co., Ltd.; ELNA America Inc.; Matsuo Electric Co., Ltd.; TOSHIN KOGYO Co., Ltd.; Holy Stone Enterprise Co., Ltd.; Milestone Global Technology, Inc. (D/B/A HolyStone International); Vishay Polytech Co., Ltd.; Taitso Corporation; Taitso America, Inc.; Shinyei Kaisha; Shinyei Technology Co., Ltd.; Shinyei Capacitor Co., Ltd.; Shinyei Corporation of America, Inc.; Nissei Electric Co., Ltd.; and Shizuki Electric Co., Ltd., which are referred to as the “Non-Settling Defendants.” The Court has previously approved settlements of Plaintiffs’ claims against Defendants Fujitsu Ltd., Hitachi Chemical Co., Ltd., Hitachi AIC, Inc., Hitachi Chemical Co. America, Ltd., NEC Tokin Corporation, NEC Tokin America, Inc., Nitsuko Electronics Corporation, Okaya Electric Industries Co., Ltd., Okaya Electric America, Inc., ROHM Co., Ltd., ROHM Semiconductor U.S.A., LLC, Soshin Electric Co., Ltd., and Soshin Electronics of America Inc., which are collectively referred to as the “Previously Settled Defendants.” The Settling Defendants, the Previously Settled Defendants, and the Non-Settling Defendants are referred to collectively as the “Defendants.”
- You are a settlement class member (“Settlement Class Member”) if you are a person in the United States that purchased Capacitors (including through controlled subsidiaries, agents, affiliates, or joint ventures) directly from any of the Defendants, their subsidiaries, agents, affiliates, or joint ventures from January 1, 2002 through July 22, 2015. Excluded from the Settlement Class are (i) Defendants (and their subsidiaries, agents, and affiliates); (ii) shareholders holding more than 10% equity interest in Rubycon or Nichicon as of September 14, 2018 (for Rubycon) or December 6, 2018 (for Nichicon); (iii) each member of the Settlement Class that timely requests exclusion by “opting out”; (iv) governmental entities; and (v) the judges and chambers staff in this case, including their immediate families.
- If you are a Settlement Class Member, you are included in the partial settlements with the Settling Defendants. You are also included in the continuing lawsuit against the Non-Settling Defendants.
- Please read this Notice carefully. Your legal rights will be affected whether you act or do not act. You now have to make a choice to preserve your legal rights.

SUMMARY OF YOUR LEGAL RIGHTS AND OPTIONS	
DO NOTHING	<p>Get no payment from the Settling Defendants. Give up your rights to ever recover from the Settling Defendants for the legal claims in this case if the partial settlements are finally approved.</p> <p>You will remain a class member in the lawsuit against the Non-Settling Defendants and keep the possibility of getting money or other benefits from the Non-Settling Defendants that may come from trial or settlement.</p> <p>You do not need to take additional action to remain in the Settlement Class or be a part of the ongoing lawsuit against the Non-Settling Defendants. There is no money available now from any of the Non-Settling Defendants, and there is no guarantee there will be. The outcome of the continuing class action lawsuit against the Non-Settling Defendants unknown. You will receive other notices from the Court when there are other important developments that may require you to make a decision or take action.</p>
SUBMIT A CLAIM FORM FOR YOUR SHARE(S) OF THE PARTIAL SETTLEMENTS	<p>Completing and submitting a Claim Form by April 15, 2019, is the only way to receive money from the partial settlement with the Settling Defendants when the funds are distributed. The Claim Form is attached to this Notice.</p> <p>As explained below, Class Counsel (as this term is defined in Question 17) may make one or more distribution(s) of money received in the partial settlements with Settling Defendants, and in any future settlements with Non-Settling Defendants.</p>
EXCLUDE YOURSELF FROM THE PARTIAL SETTLEMENTS	<p>Get no payment from one or more of the Settling Defendants with respect to one or both of the partial settlements (or portions thereof). Opting out of the settlement class with respect to one or more of the Settling Defendants is the only way that you can file or continue your own lawsuit concerning the legal claims in this case against one or more of the Settling Defendants as to which you opt-out.</p> <p>If you exclude yourself from one or both of the partial settlements (or portions thereof) with respect to one or more of the Settling Defendants, you will still remain in the proposed Class in the continuing class action lawsuit against the Non-Settling Defendants. If you exclude yourself from the partial settlements only as to some, but not all, of the Settling Defendants, you will remain in the Settlement Class with respect to the other Settling Defendants.</p> <p>You will receive a separate notice from the Court about your right to exclude yourself from the ongoing lawsuit against the Non-Settling Defendants. If you are receiving this Notice by mail, the additional notice concerning your right to exclude yourself from the ongoing litigation will be included in the package containing this Notice. Please review the separate notice carefully, because you must separately exclude yourself from the continuing litigation if you do not wish to participate in the litigation with respect to the Non-Settling Defendants. If you have not received the additional notice, you may obtain a copy from the settlement website, which can be accessed at www.capacitorsantitrustsettlement.com, or by calling 866-903-1223.</p>
OBJECT TO OR COMMENT ON THE PARTIAL SETTLEMENTS	<p>Following the instructions in Question 23, write to the Court about why you like or do not like the settlement with one or more of the Settling Defendants by no later than April 15, 2019. You may also ask to speak to the Court about your written comments or objections about the fairness of the settlements and the request for litigation fees and expenses at the “Fairness Hearing” on May 16, 2019, though you do not have to do so. To comment on or object to the partial settlements and the request for litigation fees and expenses, or to speak at the Fairness Hearing, you must act before April 15, 2019.</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.</p>
GO TO THE COURT’S FAIRNESS HEARING ABOUT THE PARTIAL SETTLEMENT.	<p>If you prefer, you may ask to speak in Court about the fairness of the partial settlements and the request for litigation fees and expenses if you follow the instructions in Questions 23 and 24 of this Notice.</p> <p>You do not need to speak to the Court to receive the benefits of the partial settlements.</p> <p>PLEASE DO NOT TELEPHONE THE COURT OR THE COURT CLERK’S OFFICE TO INQUIRE ABOUT THIS SETTLEMENT OR THE CLAIM PROCESS.</p>

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

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

BASIC INFORMATION PAGE 4

1. Why did I receive this Notice?
2. What is this lawsuit about?
3. Why is this a class action, and who is involved?
4. Why are there settlements?
5. Why are the settlements “partial”?
6. Why is the lawsuit continuing if there are settlements?
7. What happens if Plaintiffs later reach a settlement with the Non-Settling Defendants?

WHO HAS THE RIGHT TO PARTICIPATE IN THE PARTIAL SETTLEMENT AND CLASS ACTION LAWSUIT? PAGE 5

8. Am I a class member who is part of the partial settlements and the ongoing class action lawsuit against the Non-Settling Defendants?
9. I am still not sure if I am included.
10. Does it make a difference whether I purchased Capacitors from a Settling Defendant or a Non-Settling Defendant?
11. What are my rights as a Settlement Class member?

THE SETTLEMENT BENEFITS PAGE 5

12. What do the partial settlements provide?
13. How much money can I get from the partial settlements?

SUBMITTING A CLAIM FORM FOR A SHARE OF THE PARTIAL SETTLEMENTS PAGE 6

14. How can I get money from the partial settlements?
15. When will I get my payment(s)?
16. What am I giving up to receive payment(s) under the partial settlements?

THE LAWYERS REPRESENTING YOU PAGE 7

17. Who represents me in this case?
18. Should I get my own lawyer?
19. How will the lawyers be paid?

EXCLUDING YOURSELF FROM THE PARTIAL SETTLEMENTS AND/OR THE ONGOING LAWSUIT PAGE 7

20. How do I opt out of the partial settlements?
21. If I do not exclude myself, can I sue the Settling Defendants for the same thing later?
22. If I exclude myself, can I get money from this case?

COMMENTING ON OR OBJECTING TO THE PARTIAL SETTLEMENTS PAGE 8

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

THE COURT’S FAIRNESS HEARING PAGE 8

24. When and where will the Court decide whether to approve the partial settlements?
25. Do I have to come to the Fairness Hearing?

IF YOU DO NOTHING PAGE 9

26. What happens if I do nothing at all?

GETTING MORE INFORMATION PAGE 9

27. Are more details about the settlements and the lawsuit available?
28. How do I get more information?

BASIC INFORMATION

1. Why did I receive this Notice?

You have received this Notice because Defendants' records show you may have directly purchased Capacitors from one or more Defendant(s) or from a subsidiary, agent, affiliate or joint venture of a Defendant from January 1, 2002 through July 22, 2015.

The Court sent you this Notice for the following reason:

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

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

The Court has preliminarily approved the settlements. If you are a Settlement Class Member, you have legal rights and options that you may exercise before the Court considers whether it will grant final approval to the proposed partial settlements at the Fairness Hearing. The Court will hold the Fairness Hearing on May 16, 2019, at 3:00 p.m. to decide whether each of the proposed partial settlements with each of the Settling Defendants is fair, reasonable, and adequate. The Court will also consider Class Counsel's request for payment of attorneys' fees and reimbursement of litigation expenses.

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

2. What is this lawsuit about?

The lawsuit claims that Defendants entered into agreements artificially to raise, fix, or stabilize the prices of aluminum, tantalum, and film capacitors ("Capacitors") in violation of federal antitrust law. Each of the Defendants, including the Settling Defendants, expressly denies that it violated any laws or engaged in any wrongdoing, except that: (a) on January 21, 2016, NEC TOKIN Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (b) on June 9, 2016, Hitachi Chemical Co., Ltd. pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (c) on October 11, 2017, ELNA Co., Ltd and Holystone pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (d) on October 12, 2017, Rubycon Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (e) on October 25, 2017, Matsuo Electric Co., Ltd. pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (f) on November 8, 2017, Nichicon Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; (g) on May 31, 2018, Nippon Chemi-Con Corporation pleaded guilty to participating in a conspiracy to fix prices of certain electrolytic capacitors; and (h) Panasonic Corporation reported itself to the United States Department of Justice and acknowledged that it and Sanyo Electric Co., Ltd., which was previously a separate entity but which was acquired by Panasonic Corporation, had violated the antitrust laws of the United States in relation to the prices of certain capacitors.

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

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

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

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

4. Why are there settlements?

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

5. Why are the settlements "partial" settlements?

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

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

The Settling Defendants have agreed to settle this case. Previously, other Defendants have settled (*see* response to Question 2). The remaining Defendants have not agreed to settle, so the lawsuit will continue as a proposed class action against them.

More money may become available in the future as a result of additional settlements with (and/or a trial against) the Non-Settling Defendants, but there is no guarantee that will happen.

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

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

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

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

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

All persons in the United States that purchased aluminum, tantalum, or film capacitors (including through controlled subsidiaries, agents, affiliates, or joint ventures) directly from any of the Defendants, their subsidiaries, agents, affiliates, or joint ventures from January 1, 2002 through July 22, 2015 (the “Settlement Class Period”). Excluded from the Settlement Class are (i) Defendants (and their subsidiaries, agents, and affiliates); (ii) shareholders holding more than 10% equity interest in Rubycon or Nichicon as of September 14, 2018 (for Rubycon) or December 6, 2018 (for Nichicon); (iii) each member of the Settlement Class that timely requests exclusion by “opting out”; (iv) governmental entities; and (v) the judges and chambers staff in this case, including their immediate families.

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

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

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

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

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

You may submit a Claim Form for a payment from the Settlement Fund (*see* Question 14). Or, you may exclude yourself from one or more of the settlements (*see* Question 20). You may also comment on or object to the proposed partial settlements and the request for fees and litigation expenses (*see* Question 23). You may also attend the Court’s Fairness Hearing to speak in support of, or against, the Court’s final approval of the proposed partial settlements and the request for fees and litigation expenses. You may also choose to do nothing—which would result in no payment to you for the partial settlements. (*see* Question 26).

THE SETTLEMENT BENEFITS

12. What do the partial settlements provide?

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

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

- Nichicon has agreed to pay USD \$90,000,000.00 by January 31, 2019.
- Rubycon has agreed to pay USD \$18,000,000.00 in two installments by January 23, 2019. Additionally, Rubycon has agreed to pay up to USD \$12,000,000.00 in contingent payments based on Rubycon’s financial performance through its fiscal year ending September 30, 2019.

As a Settlement Class Member, you will give up, or “release,” your claims against the Settling Defendants. This release includes any claims made or that could have been made arising from the facts alleged in this class action lawsuit. The releases are described in more detail in the Settlement Agreements and in Question 16 below. You can view or download copies of the Settlement Agreements at the website www.capacitorsantitrustsettlement.com.

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

Settlement Class Members who submit a Claim Form will be eligible to receive a share of the Settlement Fund based on an allocation formula (the “Allocation Formula”) utilizing each Settlement Class Member’s proportionate share of tantalum, aluminum, and film capacitors (“Capacitors”) directly purchased from Defendants from January 1, 2002 through July 22, 2015 (the “Settlement Class Period”) that were either billed or shipped to a location within the United States. Under the Allocation Formula, each Settlement Class Member submitting a valid Claim Form would be entitled to receive an amount calculated by multiplying (a) the net amount in the Settlement Fund (after deducting all Court-approved expenses, fees, and administrative costs) by (b) a quotient calculated by dividing (i) the total amount of Capacitors purchased directly

from Defendants that were billed or shipped to a location within the United States during the Settlement Class Period by the specific Settlement Class Member submitting a valid Claim Form, with (ii) the total amount of Capacitors purchased directly from Defendants that were billed or shipped to a location within the United States during the Class Period by all Settlement Class Members submitting valid Claim Forms.

SUBMITTING A CLAIM FORM FOR A SHARE OF THE PARTIAL SETTLEMENT

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

To receive money from the partial settlements, you must complete and submit a Claim Form, either online at www.capacitorsantitrustsettlement.com, or by mail. A copy of the Claim Form is included with this Notice. Please read this Notice and the accompanying Claim Form carefully. If any of the Defendants in this case have a record of you purchasing qualifying Capacitors from them that were billed or shipped to a location within the United States during the Class Period (*i.e.*, between January 1, 2002 through July 22, 2015, inclusive), you will be mailed a Claim Form for your review that includes details about these purchases. You can either approve the purchase information on your Claim Form, or, if you disagree with this information, you can submit records of your purchases.

You must complete and submit the form online no later than April 15, 2019, or complete the included form manually, sign it, and mail it postmarked no later than April 15, 2019, to the Notice and Claims Administrator at the address listed in Question 28 of this Notice. If necessary, you may download and print out a Claim Form from the website www.capacitorsantitrustsettlement.com. If you have any problems with the Claim Form or questions about how to submit your claim, please call the Notice and Claims Administrator at the telephone number printed at the bottom of this page.

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

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

As noted above, the Court is scheduled to hold a final Fairness Hearing on May 16, 2019, at 3:00 p.m. to decide whether to approve the proposed partial settlements and the request for the payment of attorneys' fees and the reimbursement of litigation expenses. The Court may reschedule the Fairness Hearing or change any of the deadlines described in this Notice. Please check the settlement website, www.capacitorsantitrustsettlement.com, or the Court's PACER site at <https://ecf.cand.uscourts.gov> to confirm that the date has not changed, or for news of any such changes.

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

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

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

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

In general (and subject to the precise terms as set forth in each of the Settlement Agreements, upon one or more of the Settlement Agreements becoming effective, the Named Plaintiffs and Settlement Class Members who do not otherwise properly exclude themselves ("Releasers") agree that the Settling Defendants and their officers, directors, employees, managers, members, partners, agents, attorneys and legal representatives, predecessors, successors, heirs, and affiliates ("Releasees") shall be completely released, acquitted, and forever discharged from any and all manner of claims, demands, rights, actions, suits, and causes of action, whether class, individual, or otherwise in nature, damages whenever incurred, liabilities of any nature whatsoever, including costs, expenses, penalties, injuries, and attorneys' fees that Releasers, or any one of them, whether directly, representatively, derivatively, or in any other capacity, ever had, now have, or hereafter can, shall, or may have against the Releasees, whether known or unknown, relating in any way to any conduct by Releasees alleged in the Action and any joint and several liability arising from the conduct of any of the Defendants in the Action prior to the Effective Date arising under or relating to any federal or state antitrust laws, unfair competition, unfair practices or trade practice laws, civil conspiracy, or common law or statutory fraud claims, whether such claims are known or unknown, suspected or unsuspected, asserted or unasserted, foreseen or unforeseen, actual or contingent, liquidated or unliquidated, regardless of legal theory and regardless of the type or amount of relief or damages claimed, or claims that have been, could have been, or in the future might have in law or in equity, on account of arising out of, resulting from, or in any way related to any conduct regardless of where it occurred at any time prior to the Effective Date, concerning the purchase, pricing, selling, invoicing, discounting, marketing, manufacturing and/or distributing of Capacitors in the United States and its territories or for delivery in the United States and its territories. The Released Claims also include, but are not limited to, all claims asserted or which could have been asserted in this litigation relating to or arising out of the facts, occurrences, transactions, statements, or other matters alleged in this litigation including, but not limited to, claims arising under federal or state antitrust, unfair competition, unfair practices, price discrimination, unitary pricing, trade practice, or civil conspiracy law, including without limitation the Sherman Act, 15 U.S.C. § 1 *et seq.*, but excluding (a) any claim for any product defect, breach of warranty, breach of contract, trade claims, claims under the Uniform Commercial Code or similar claims between Settlement Class Members and Nichicon or Rubycon relating to Capacitors or any claim for personal or bodily injury, (b) claims based on indirect purchases of Capacitors, and (c) claims based on purchases of Capacitors excluded by the Foreign Trade Antitrust Improvement Act, 15 U.S.C. § 6a.

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

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

THE LAWYERS REPRESENTING YOU

17. Who represents me in this case?

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

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

18. Should I get my own lawyer?

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

19. How will the lawyers be paid?

At the Fairness Hearing, Plaintiffs’ Counsel will ask the Court to approve payment \$27 million (25% of the Settlement Fund) in attorneys’ fees, payable upon the Court’s approval of the requested fees. Class Counsel will also seek 25% of any contingent payments that Rubycon pays into the Settlement Fund. Class Counsel also intends to request \$3 million (2.8% of the non-contingent portion of the Settlement Fund) to reimburse incurred litigation costs and expenses, and to create a reserve for anticipated litigation expenses through trial. If the Court awards these payments, they will be paid from the Settlement Fund along with administrative fees and expenses related to the provision of notice to the Settlement Class Members, processing of Claim Forms, and distributing Settlement Funds to the Settlement Class Members submitting valid Claim Forms.

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

EXCLUDING YOURSELF FROM THE SETTLEMENTS

20. How do I opt out of the settlements and/or the ongoing class action lawsuit against the Non-Settling Defendants?

Excluding yourself from one or more of the partial settlements:

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

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

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

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

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

Excluding yourself from the ongoing litigation against the Non-Settling Defendants:

Whether you choose to remain in or exclude yourself from these settlements, you also the right to remain in or exclude yourself from the ongoing litigation against the Non-Settling Defendants.

You will receive a separate notice from the Court about this lawsuit (including your right to exclude yourself from the litigation that will be ongoing against the Non-Settling Defendants). **If you received the current Notice by mail, the additional notice concerning your right to exclude yourself from the ongoing litigation with respect to the Non-Settling Defendants will be included in the package containing this Notice. Please review this separate notice carefully, because you must separately exclude yourself from the continuing litigation should you wish to not participate in the ongoing class action lawsuit against the Non-Settling Defendants.** If have not received the additional notice, you may obtain it from the settlement website, which can be accessed at www.capacitorsantitrustsettlement.com, or by calling 866-903-1223.

You must separately request to exclude yourself from the ongoing litigation, even if you request to exclude yourself from the partial settlements with Nichicon and Rubycon. If you are a Settlement Class Member and you do nothing, you will remain in the ongoing class action lawsuit and retain the ability to recover money or other benefits, if any, that may come from a trial or a settlement with the Non-Settling Defendants. By staying in the case, you give up your rights to sue any of the Non-Settling Defendants on your own about the same legal claims in this lawsuit, and you will be bound by the results in the ongoing lawsuit. You have the right to participate in the partial settlements with Nichicon and Rubycon and still request exclusion from the ongoing lawsuit.

Exclusion/Opt-Out Request Mailing Information:

To exclude yourself from one or more of the settlements with Settling Defendant(s) or from the ongoing litigation, you must submit your Opt-Out Request Letter postmarked *via* First Class United States Mail (or United States Mail for overnight delivery) no later than April 15, 2019, (or received by the Notice and Claims Administrator by that date if sent by fax or e-mail) at the following address:

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

You cannot exclude yourself (opt out) by telephone.

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

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

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

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

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

COMMENTING ON OR OBJECTING TO THE SETTLEMENT

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

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

Any objection to the proposed settlement must be in writing. If you file a timely written objection, you may, but are not required, to appear at the Final Approval Hearing, either in person or through your own attorney. If you appear through your own attorney, you are responsible for hiring and paying that attorney. All written objections and supporting papers must (a) clearly identify the case name and number (*In re Capacitors Antitrust Settlement*, 17-md-02801-JD, Case No. 14-cv-03264-JD), (b) be submitted to the Court either by mailing them to the Class Action Clerk, United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, or by filing them in person at any location of the United States District Court for the Northern District of California, and (c) be filed or postmarked on or before April 15, 2019.

Be sure to include:

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

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

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

THE COURT’S FAIRNESS HEARING

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

The Court will hold a Fairness Hearing on May 16, 2019, at 3:00 p.m., in Courtroom 11, on the 19th Floor of the United States District Court located at 450 Golden Gate Avenue in San Francisco, California.

At the Fairness Hearing, the Court will consider each of the proposed settlements and determine whether each is fair, reasonable, and adequate. The Court will also consider the request for attorneys’ fees and litigation expenses, and for payment of other administrative expenses. If there are written comments or objections, the Court will consider them. The Court will

decide whether to allow people who have raised objections or comments to speak at the hearing. After the Fairness Hearing, the Court will separately decide whether to approve the partial settlements.

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

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

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

IF YOU DO NOTHING

26. What happens if I do nothing at all?

If you are a Settlement Class Member and you do nothing, you will receive no money from the partial settlements with the Settling Defendants. Any claims you might have against the Settling Defendants for the allegations in this case will be released unless you separately write to exclude yourself (following the instructions in Question 20). This means that if you do nothing, you will not be able to collect any damages from the Settling Defendants for the alleged agreements to raise, maintain, or stabilize the prices of Capacitors as alleged in this lawsuit, or in any other lawsuit. You will not receive money from the partial settlements unless you submit a Claim Form (by following the instructions in Question 14). To qualify to receive any money from the settlements with the Settling Defendants, you must submit a Claim Form and follow the instructions in Question 14. Your claim must be filed online or postmarked by mail by April 15, 2019, or received by the Notice and Claims Administrator by that time (*e.g.*, via e-mail or facsimile).

GETTING MORE INFORMATION

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

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

28. How do I get more information?

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

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

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

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

