

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
MR. JUSTICE RAIKES)

Tuesday, THE 13th DAY
OF April, 2021

B E T W E E N :

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.

PROCEEDING UNDER THE *CLASS PROCEEDINGS ACT, 1992*

**ORDER
(Approving Class Counsel Fees)**

THIS MOTION made by the Plaintiffs for an Order approving: (i) the retainer agreement with the Representative Plaintiff and (ii) Class Counsel's legal fees, disbursements and applicable taxes, was heard February 25, 2021, at the Court House, 80 Dundas Street, London, Ontario.

AND ON READING the materials filed and on hearing the submissions of Class Counsel;

1. **THIS COURT ORDERS** that the retainer agreement entered into with the Representative Plaintiff, Sean Allott, is hereby approved pursuant to section 32(2) of the *Class Proceedings Act, 1992*.
2. **THIS COURT ORDERS** that the request of Class Counsel for payment of contingent legal fees of \$337,500.00 plus applicable taxes and disbursements of \$31,673.70 plus applicable taxes with respect to the settlement agreement entered into with Panasonic Corporation, Panasonic Corporation of North America, and Panasonic Canada Inc. (collectively "Panasonic"), dated October 12, 2020 ("Panasonic Settlement Agreement") is approved.
3. **THIS COURT ORDERS** that Class Counsel's legal fees of \$225,000 plus applicable taxes, and disbursements plus applicable taxes be paid from the settlement funds, pursuant to the terms of the Panasonic Settlement Agreement.
4. **THIS COURT ORDERS** that the balance of Class Counsel fees, being \$112,500 plus applicable taxes, shall be paid 30 days before the hearing of the contested certification motion in the within proceeding.
5. **THIS COURT ORDERS** that this Order is contingent upon approval of the Panasonic Settlement Agreement and approval of Class Counsel legal fees, disbursements, interest and applicable taxes by the Supreme Court of British Columbia and the Superior Court of

Québec, and the terms of this Order shall not be effective unless and until such orders are made by the Supreme Court of British Columbia and the Superior Court of Québec.

Date: April 14, 2021

A handwritten signature in black ink, appearing to read "R. Raikes", is positioned above a horizontal line.

The Honourable Mr. Justice Raikes

SEAN ALLOTT
Plaintiff

v. AVX CORPORATION et al.
Defendants

Court File No. 1272/16 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

**ORDER
(Fee Approval - Panasonic)**

**FOREMAN & COMPANY
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