

**ONTARIO  
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE )  
MR. JUSTICE RAIKES )

FRIDAY, THE 29<sup>th</sup> DAY  
OF DECEMBER, 2023

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  
(Approval of Class Counsel Disbursements –  
KEMET, Nichicon and NCC/UCC Settlements)**

**THIS MOTION** made by the Plaintiff for an Order approving the disbursements and applicable taxes of Ontario and British Columbia class counsel ("Class Counsel"), was heard Monday, October 23, 2023 at the Court House, 80 Dundas Street, London, Ontario.

**ON BEING ADVISED THAT** Class Counsel do not seek a fee award from the approved Film Settlement Amounts at this time and that Class Counsel seek only the recovery of the itemized disbursements incurred;

**AND ON BEING ADVISED THAT** Class Counsel has reserved all rights to re-attend before this Court to seek approval of Class Counsel fees payable in respect of the Film Settlement Amounts pursuant to the terms of the retainer agreement entered into with the plaintiff;

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

1. **THIS COURT ORDERS** that the request of Class Counsel for payment of disbursements of \$130,807.94 plus applicable taxes is approved.
2. **THIS COURT ORDERS THAT** the approved disbursements shall be paid to Class Counsel from the settlement funds, pursuant to the terms of the settlement agreements, entered into with KEMET Corporation and KEMET Electronics Corporation dated January 31, 2023; Nichicon Corporation and Nichicon (America) Corporation dated March 31, 2023; and Nippon Chemi-Con Corporation and United Chemi-Con, Inc. dated July 14, 2023.

Date: January 4, 2024



---

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  
(Approval of Class Counsel Disbursements –  
KEMET, Nichicon and NCC/UCC Settlements)**

**FOREMAN & COMPANY  
PROFESSIONAL CORPORATION**  
4 Covent Market Place  
London, ON N6A 1E2

**Jonathan J. Foreman (LSO# 45087H)**  
**Sarah Bowden (LSO# 56385D)**  
Tel: 519.914.1175  
Fax: 226.884.5340

E-mail: [jforeman@foremancompany.com](mailto:jforeman@foremancompany.com)  
[sbowden@foremancompany.com](mailto:sbowden@foremancompany.com)

Lawyers for the Plaintiff