

Notice of Authorization and National Settlement Approval Hearing in the Small-Size Ball Bearings Class Actions

Did you purchase small-size ball bearings or products equipped with small-size ball bearings between June 1st, 2003 and October 31st, 2011?

If so, please read this notice carefully. It may affect your legal rights.

The Class Actions

Class actions were commenced in Quebec, British Columbia and Ontario against the following defendants (the "Defendants"):

Quebec Defendants: MinebeaMitsumi Inc. (formerly Minebea Co. Ltd.), NSK Ltd. and NSK Canada Inc.;

British Columbia Defendants: MinebeaMitsumi Inc. (formerly Minebea Co. Ltd.), NMB Korea Co., Ltd., NMB (USA) Inc., NMB Technologies Corporation, New Hampshire Ball Bearings Inc., NSK Ltd., and NSK Canada Inc.; and

Ontario Defendants: MinebeaMitsumi Inc. (formerly Minebea Co. Ltd.), NMB Korea Co., Ltd., NMB (USA) Inc., NMB Technologies Corporation, New Hampshire Ball Bearings Inc., NSK Ltd., and NSK Canada Inc.

Plaintiffs allege that manufacturers of small-size ball bearings ("Bearings") and their related entities conspired to fix the prices of Bearings, and that this resulted in purchasers paying too much for Bearings and products equipped with Bearings purchased in Canada. The Court has yet to determine if this was the case. Bearings are notably used in communication devices, household appliances, video cameras, personal computers, printers, air conditioning units, vacuum cleaners, fishing reels and power tools. On August 4, 2016, the Quebec class action was authorized by the Quebec Superior Court.

The Settlement

The Defendants MinebeaMitsumi Inc. (formerly Minebea Co. Ltd.), NMB Korea Co., Ltd., NMB (USA) Inc. and NMB Technologies Corporation (the "Settling Defendants") agreed to settle the class actions by paying CDN \$1 500 000 to the

benefit of the settlement class members, in exchange for a full release of the claims against them relating to the alleged price-fixing of the Bearings.

The Settling Defendants also agreed to provide cooperation to the Plaintiffs in the class actions against the remaining Defendants. The settlement is a resolution of contested claims, and the Settling Defendants do not admit any liability, wrongdoing or fault.

As a condition of the settlement, the Ontario and British Columbia plaintiffs and the Settling Defendants have agreed to have this action dismissed as against New Hampshire Ball Bearings Inc. ("NHBB") a company related to the Settling Defendants, concurrently with the settlement approval motion. The class actions are continuing against NSK Ltd. and NSK Canada Inc.

Class Members

You may be a member of the class if you purchased Bearings and/or products equipped with Bearings between June 1st, 2003 and October 31st, 2011.

Opting Out

Class members have the right to exclude themselves from the class actions ("opt-out"). If you opt-out of the class actions, you will not be eligible to participate in the settlement or receive money from the class actions, but you may be able to start or continue your own case regarding the claims at issue against the Defendants. If you opt-out, applicable limitation periods concerning your claim will resume running against you. If you do nothing, you will be eligible to participate in the settlement, and may receive money from the class actions, but

you will not be able to start or continue your own case regarding the claims at issue against the Defendants.

If you wish to opt-out of the class actions, you must submit your notice to opt-out received no later than **February 6, 2019**. Your notice shall include:

- your full name, current address and telephone number;
- a statement saying that you (or your company) want to opt-out of the class actions.

For Quebec class members and settlement class members domiciled in Quebec, you must send your exclusion notice to the clerk of the Superior Court. For others, please contact one of the law firms listed below.

The certification orders and the associated opt-out process outside of Quebec are only valid if the settlement is approved. If the settlement is not approved or if it otherwise fails to take effect, the certification orders will not stand and any opt-out notice submitted by any person outside of Quebec will be set aside, and the litigation will continue against MinebeaMitsumi Inc. (formerly Minebea Co. Ltd.), NMB Korea Co., Ltd., NMB (USA) Inc., NMB Technologies Corporation, NHBB, NSK Ltd., and NSK Canada Inc.

Settlement Approval Hearings

A hearing to authorize and consider approval of the settlement will be heard by the Superior Court of Quebec in the City of Montreal on January 22, 2019, by the British Columbia Court in the City of Vancouver on March 7, 2019, and by the Ontario Court in the City of Goderich on February 25, 2019.

At the settlement approval hearings, the lawyers for the class will ask the Courts to approve payment of legal fees to them valued at up to 25% of the funds from the settlement entered into with the Settling Defendants, plus disbursements and applicable taxes.

You may object to the proposed settlement or class counsel's fees at the settlement approval hearing. To do so, your written submission describing your objection must be received by class counsel by no later than **January 7, 2019**.

You are represented by:

Belleau Lapointe LLP

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For more information or to read the long form notice, please visit:

<http://www.recourscollectif.info/en/cases/bearings/> (Belleau Lapointe LLP)

<https://www.cfmlawyers.ca/> (Camp Fiorante Matthews Mogerma LLP)

<https://harrisonpensa.com/price-fixing-small-sized-ball-bearings/> (Harrison Pensa LLP)