

**ONTARIO
SUPERIOR COURT OF JUSTICE**

THE HONOURABLE)
MR. JUSTICE RAIKES)

Tuesday , THE 13th DAY
OF April , 2021

B E T W E E N :

CYGNUS ELECTRONICS CORPORATION and SEAN ALLOTT

Plaintiffs

- and -

PANASONIC CORPORATION; PANASONIC CORPORATION OF NORTH AMERICA;
PANASONIC CANADA INC.; SANYO ELECTRIC CO., LTD.; NEC TOKIN CORPORATION;
NEC TOKIN AMERICA 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.; SAMSUNG ELECTRO-MECHANICS; SAMSUNG ELECTRO-MECHANICS
AMERICA INC.; SAMSUNG ELECTRONICS CANADA INC.; ROHM CO., LTD.; ROHM
SEMICONDUCTOR U.S.A., LLC.; 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.; MILESTONE GLOBAL TECHNOLOGY, INC. d/b/a
HOLYSTONE INTERNATIONAL; and HOLY STONE HOLDINGS CO., LTD.

Defendants

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 agreements with the Representative Plaintiffs 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 agreements entered into with the Representative Plaintiffs, Cygnus Electronics Corporation and Sean Allott, are 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 \$1,487,500.00 plus applicable taxes and disbursements of \$141,866.96 plus applicable taxes with respect to the settlement agreement entered into with Panasonic Corporation, Panasonic Corporation of North America, Panasonic Canada Inc. and Sanyo Electric Co., Ltd. (collectively "Panasonic"), dated October 12, 2020 ("Panasonic Settlement Agreement") is approved.
3. **THIS COURT ORDERS** that Class Counsel's legal fees, disbursements and applicable taxes are to be paid from the settlement funds, pursuant to the terms of the Panasonic Settlement Agreement.
4. **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



The Honourable Mr. Justice Raikes

CYGNUS ELECTRONICS
CORPORATION, et al.
Plaintiffs

v. PANASONIC CORPORATION, et al.
Defendants

Court File No. 3795/14 CP

**ONTARIO
SUPERIOR COURT OF JUSTICE**

PROCEEDINGS COMMENCED AT LONDON

Proceeding Under the *Class Proceedings Act, 1992*

**ORDER
(Fee Approval - Panasonic)**

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

Jonathan J. Foreman (LSO# 45087H)

Sarah Bowden (LSO# 56385D)

Anne Legate-Wolfe (LSO# 76832J)

Tel: 519.914.1175

Fax: 226.884.5340

E-mail: jforeman@foremancompany.com

sbowden@foremancompany.com

alegatewolfe@foremancompany.com

Lawyers for the Plaintiffs