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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

In re AFTERMARKET AUTOMOTIVE
LIGHTING PRODUCTS ANTITRUST
LITIGATION

) No. MDL 09-2007-GW(PJWx)
)
) ORDER GRANTING
) PRELIMINARY APPROVAL OF
) THE PROPOSED SETTLEMENT
) WITH DEFENDANTS TYC
) BROTHER INDUSTRIAL CO.
) LTD. AND GENERA
) CORPORATION
)
)

1 Upon consideration of the Motion for Preliminary Approval of the Proposed
2 Settlement (the “Motion”) with TYC BROTHER INDUSTRIAL CO. LTD. AND
3 GENERA CORPORATION (collectively, “TYC”), it is hereby ORDERED as
4 follows:

5 1. The Motion is hereby Granted.

6 2. The Court finds that the proposed settlement with TYC, subject to
7 final determination following a hearing after notice to the Settlement Class, is
8 sufficiently fair, reasonable and adequate to authorize dissemination of Notice to
9 the Settlement Class.

10 3. Notice shall be provided to all Settlement Class Members who can be
11 identified using reasonable efforts.

12 4. The Court approves the form of the Notice of Proposed Class Action
13 Settlement with Certain Defendants and Final Approval Hearing (“Notice”) and
14 Summary Notice of Proposed Partial Class Action Settlement and Final Approval
15 Hearing (“Summary Notice”), attached to the Motion as Exhibits A and B to the
16 Declaration of Jennifer M. Keough, Chief Operating Officer of the Claims
17 Administrator, Garden City Group, respectively. The Court further finds that the
18 mailing and publication of the Notices in the manner set forth in Paragraphs 6 and
19 7 below constitutes the best notice practicable under the circumstances as well as
20 valid, due and sufficient notice to all Settlement Class Members and complies fully
21 with the requirements of Federal Rule of Civil Procedure 23 and the due process
22 requirements of the Constitution of the United States.

23 5. The firm of Garden City Group, Inc. (“Claims Administrator”) is
24 hereby appointed to supervise and administer the notice procedure as well as
25 processing the claims as more fully set forth below.

26 6. The Claims Administrator is hereby directed to cause the Notice and
27 Claim Form, in the forms attached to the Motion as Exhibit A to the Declaration of
28 Jennifer M. Keough, to be (a) mailed by first class mail, postage prepaid, within 15

1 days of entry of this Order (“Notice Date”) to all Settlement Class Members who
2 can be identified using reasonable efforts; and (b) provided to all persons who
3 request them. The Claims Administrator shall also post copies of the Notices on
4 the Internet at a readily accessible web address. The web address shall be
5 identified in all Notices.

6 7. Plaintiffs’ Co-Lead Counsel are hereby directed to cause the
7 Summary Notice, in the form attached to the Motion as Exhibit B to the
8 Declaration of Jennifer M. Keough, to be published within 10 days of the Notice
9 Date in *Aftermarket Business World* and *Parts and People*.

10 8. The Court will hold a hearing (“Final Approval Hearing”) on May 5,
11 2014, at 8:30 a.m. at the United States Courthouse, 312 N. Spring Street, Los
12 Angeles, CA 90012, Courtroom 10, to determine the fairness, reasonableness and
13 adequacy of the proposed settlement and whether the proposed settlement should
14 be finally approved and a final judgment entered thereon. The Court will also
15 consider whether to approve Plaintiffs’ Co-Lead Counsel’s fee, cost, and expense
16 application. Any Settlement Class Member who follows the procedure set forth in
17 the Notices may appear and be heard at the Final Approval Hearing. The Final
18 Approval Hearing may be continued without further notice to the Settlement Class.

19 9. Any Settlement Class Member who wishes to object to the terms of
20 the proposed settlement or to Plaintiffs’ Co-Lead Counsel’s fee and expense
21 application, must file his/her/its objection with the Clerk of the Court, and mail it
22 to the Claims Administrator, Plaintiffs’ Co-Lead Counsel and counsel for TYC,
23 filed/postmarked no later than March 7, 2014 (the “Objection Deadline”), and shall
24 otherwise comply with the requirements set forth in the Notices.

25 10. Any Settlement Class Member who wishes to submit a Claim Form
26 must mail it to the Claims Administrator, postmarked no later than March 7, 2014,
27 and shall otherwise comply with the requirements and instructions set forth in the
28 Claim Form.

1 11. Plaintiffs' Co-Lead Counsel's petition for attorneys' fees, costs, and
2 expenses must be filed no later than February 14, 2014.

3 12. Plaintiffs' Co-Lead Counsel shall file with the Court and serve on the
4 parties all documents in support of final approval of the proposed settlement no
5 later than April 7, 2014.

6 13. The Court approves the establishment of the escrow accounts under
7 the proposed settlement as qualified settlement funds ("QSFs") pursuant to Internal
8 Revenue Code Section 468B and the Treasury Regulations promulgated
9 thereunder, and retains continuing jurisdiction as to any issue that may arise in
10 connection with the formation and/or administration of the QSFs. Plaintiffs' Co-
11 Lead Counsel are, in accordance with the proposed settlement, authorized to
12 expend funds from the QSFs for the payment of the costs of notice, payment of
13 taxes, and settlement administration costs.

14 14. The litigation against TYC only is stayed to the extent necessary to
15 effectuate the proposed settlement.

16 15. The Court retains jurisdiction to consider all further applications
17 arising out of the proposed settlement. The Court may approve the proposed
18 settlement, with such modifications as may be agreed to by Plaintiffs and TYC, if
19 appropriate, without further notice to the Class.

20
21 IT IS SO ORDERED.

22 DATED: January 9, 2014



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24 _____
25 Hon. George H. Wu
26 United States District Judge
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