

Notice of Certification for Settlement Purposes Only and National Settlement Approval Hearings in the Small-Size Ball Bearings Class Actions

Did you purchase small-size ball bearings or products containing 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 Québec, British Columbia and Ontario.

The Plaintiffs allege that manufacturers of small-size ball bearings with an outside diameter of 26 millimetres or less ("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.

Bearings are notably used in communication devices, household appliances, video cameras, personal computers, printers, air conditioning units, vacuum cleaners, fishing reels and power tools.

The NSK Settlement

The Defendants NSK Ltd. and NSK Canada Inc. (the "NSK Defendants" or "Settling Defendants") agreed to settle the class actions by paying CDN \$600,000 (the "Settlement Amount") to the benefit of settlement class members, in exchange for a full release of the claims against them relating to the alleged price-fixing of the Bearings.

The settlement is a resolution of contested claims, and the Settling Defendants do not admit any liability, wrongdoing or fault.

A previous settlement was reached with the Minebea group of defendants, valued at \$1.5 M CAD. This settlement was approved by previous orders of the courts.

If approved, the NSK settlement will resolve the litigation in its entirety.

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 ("Settlement Class Members").

Settlement Approval Hearings

The settlement must be approved by the courts before it becomes effective. Hearings are to take place at:

- the Superior Court of Québec in the City of Montréal on **May 2nd, 2022**;

- the British Columbia Supreme Court in the City of Vancouver, on **June 28th, 2022**; and
- the Ontario Superior Court in the City of Sarnia on **June 7th, 2022**.

Distribution of Settlement Funds

The Settlement Amount, minus court-approved lawyers' fees, disbursements and applicable taxes, will be held in an interest-bearing trust account, along with the previous settlement amounts, for the benefit of Settlement Class Members in the class actions (the "Settlement Funds").

The Settlement Funds will not be distributed to Settlement Class Members at this time. At a future time, the courts will approve a process for the payment of claims to class members. A further notice will be provided at the time of distribution.

Settlement Approval and Lawyers' Fees

At the Settlement Approval Hearings, the courts will determine whether the settlement is fair, reasonable and in the best interest of Settlement Class Members. At this time, the lawyers working on these class actions will be requesting court approval of fees of up to 25% of the Settlement Amount, plus disbursements and applicable taxes. If approved, these amounts will be paid to the lawyers out of the Settlement Funds.

If you do not oppose the proposed settlement agreement, you do not need to do anything at this time.

If you wish to comment on or object to the proposed settlement or class counsel's fee, you must deliver written submission describing your comments and/or objection by no later than **April 29th, 2022**. Objections and /or comments can be forwarded to class counsel. Please do not forward objections or comments to the court as they cannot process them.

If you think you are a Settlement Class Member and want to participate in the settlement approval hearing in your jurisdiction, please contact the lawyers working on the class actions (contact information below) for instructions and particulars on how to attend the hearing.

Opting Out

The court-ordered deadline for Settlement Class Members to opt out of the class actions was **February 6, 2019**. If you did not previously opt out, you are included in the class actions and are legally bound by the results of the class actions, including the NSK settlement agreement, if approved by the Courts.

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

<https://www.belleaulapointe.com/en/class-actions/ball-bearings/> (Belleau Lapointe s.e.n.c.r.l.)

<https://www.cfmlawyers.ca/active-litigation/small-bearings/>
(Camp Fiorante Matthews Mogerman ^{LLP})

<https://www.foremancompany.com/small-bearings>
(Foreman & Company)

You are represented by:

Belleau Lapointe s.e.n.c.r.l.

Camp Fiorante Matthews Mogerman LLP

Foreman & Company Professional Corporation