

FAQS

What is a Class Action?

A class action is a lawsuit that is brought by one or more persons on behalf of a larger group of people whose claims share common legal and/or factual issues. Class actions provide a cost-effective way for groups of people with common interests to pursue a legal claim.

What does “certification” mean?

Certification is the motion where the court determines whether the action can properly be pursued as a class action. The court will consider factors such as whether the claims of the class members raise common legal and/or factual issues and whether a class action is the preferable method of pursuing the claims (as opposed to other methods, such as individual actions).

Do I have to pay anything to participate in the class action?

Class action lawyers are usually paid on a contingency basis. This means that class counsel are only paid if successful. Class counsel are paid a percentage of any settlement or court award. Class counsel fees are subject to court approval.

Who is affected by the valve timing control devices class action?

You are affected by the class action and are a “member” of the class if you are a person in Canada who between January 1, 2000 and March 20, 2017:

- purchased or leased a new vehicle in Canada;
- purchased a new or used vehicle for import into Canada; or
- purchased a valve timing control device in Canada.

Can I join the class action?

There are no steps required to “join” the class action. Assuming you fall within the scope of the class definition, you are automatically included in the class action unless you “opt-out” (exclude yourself from the class action).

Can I exclude myself from the class action?

Yes. If you do not wish to participate in the ongoing class action, including in the Hitachi Settlement or any future settlements, you can exclude yourself from the class action by submitting a signed letter to Class Counsel. The deadline for opting out of the class action is June 19, 2017. Further information is provided in the Notice of Proposed Settlements and Distribution of Settlement Funds which can be found [here](#).

If you opt-out, you will not be able to participate in any settlement or court award achieved in the class action or a parallel class action commenced against the following entities:

Aisin Seiki Co., Ltd., Aisin Holdings of America, Inc., Aisin Automotive Casting, LLC, Aisin World Corp. of America, Aisin Automotive Casting Tennessee, Inc., Aisin Canada, Inc., Aisin Automotive Canada Inc., Delphi Automotive LLP, Delphi Automotive Systems, LLC, Korea Delphi Automotive Systems Corp., Denso International Korea Corporation, Mikuni Corporation, Mikuni American Corporation and Delphi Powertrain Systems Korea Ltd.

but you may be able to pursue your claim on an individual basis. Generally speaking, you would only want to opt-out of a class action if you intend to bring individual litigation. In most circumstances, it is more cost effective to participate in a class action because the legal costs are spread over a large number of people, making it more economic for any individual class member to obtain relief.

What should I do to protect my rights?

To protect your rights, you should:

1. Keep records of any purchases or leases of new vehicles from 1995 onwards. This period covers the entire duration of all auto parts price-fixing cases. You might be affected by multiple auto parts price-fixing cases;

2. Keep records of any purchases of valve timing control devices for installation in new vehicles from January 1, 2000 to March 20, 2017; and
3. Register above to receive updates about the class action.

I still have a question. Who should I contact?

If you have a question, please use the contact form provided on this page.