

Furukawa, Mitsubishi To Pay \$19.6M To End Antitrust Claims

By [Dave Simpson](#)

Law360 (July 9, 2018, 8:29 PM EDT) -- Two putative classes of automobile part direct purchasers who allege that major companies have conspired to fix the prices of wire harness products asked a Michigan federal judge on Monday to approve a \$19 million deal with [Furukawa Electric Co.](#) and a \$680,320 deal with [Mitsubishi Electric](#).

The direct purchasers have reached agreements with Lear, G.S. Electech, Tokai Rika, Chiyoda, Fujikura, LEONI, Sumitomo and [Yazaki](#), all of which have been approved by the court, for payouts totaling more than \$102.7 million, the direct purchasers said in their filing.

In August, a Michigan federal judge awarded [at least \\$28 million](#) to counsel representing the purchasers, saying they reached a favorable outcome.

In addition to forking over cash, Furukawa and Mitsubishi agreed to help the direct purchasers with their litigation against their last remaining defendant group, [Denso Corp.](#)

The direct purchasers said Monday that the proposed deal is fair, reasonable and adequate.

“Because plaintiffs are still litigating with the Denso defendants, it is not appropriate to discuss with any specificity settlement class counsel’s analysis of the risks of litigation, as the Denso defendants might seek to use that information against plaintiffs going forward,” the direct purchasers said Monday. “Settlement class counsel believe that at this point it is sufficient to state that complex antitrust litigation of this scope has certain inherent risks that the settlements negate.”

The litigation stems from a joint investigation by U.S., Japanese and European authorities in and around 2011 into the price fixing. The investigation led to approximately \$2.4 billion in criminal fines paid to the [U.S. Department of Justice](#).

A number of direct purchasers, dealerships and vehicle buyers subsequently brought lawsuits against the companies named in the investigation. The lawsuits accused the companies of forcing the plaintiffs to pay more for the automotive products than they would have paid if the illegal conduct did not occur in the first place. The wire harnesses actions were the first filed in the multidistrict litigation.

G.S. Electech reached a \$3.1 million settlement in April 2016, while the Fujikura defendants reached a \$9.5 million settlement with direct purchasers, and the Sumitomo defendants struck a \$25 million deal.

Yazaki reached a [\\$212 million agreement](#) with plaintiffs last year.

The putative classes asked for provisional certification for all those who purchased the wire harness products between January 2000 and December 2016.

Representatives for the parties did not immediately respond to request for comment Monday.

The direct purchasers are represented by Steven A. Kanner, William H. London and Michael E. Moskovitz of [Freed Kanner London & Millen LLC](#), David H. Fink, Darryl Bressack and Nathan J. Fink of [Fink & Associates Law](#), Joseph C. Kohn, William E. Hoese and Douglas A. Abrahams of [Kohn Swift & Graf PC](#), Gregory P. Hansel, Randall B. Weill and Michael Smith of [Preti Flaherty Beliveau & Pachios LLP](#) and Eugene A. Spector, William G. Caldes, Jonathan M. Jagher and Jeffrey L. Spector of [Spector Roseman Kodroff & Willis PC](#).

Mitsubishi Electric is represented by Michael T. Brody of [Jenner & Block](#).

Furukawa is represented by Richard D. Bisio of [Kemp Klein Law Firm](#).

The case is Wire Harness – Direct Purchaser Actions, case number [2:12-cv-00101](#), in the U.S. District Court for the Eastern District of Michigan.

--Additional reporting by Eric Kroh. Editing by Orlando Lorenzo.