

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

In Re: AUTOMOTIVE PARTS ANTITRUST LITIGATION	Master File No. 12-md-02311 Honorable Marianne O. Battani
In Re: Occupant Safety Systems	2:12-cv-00602-MOB-MKM
THIS DOCUMENT RELATES TO:  Dealership Actions	

**PROPOSED / PENDING COURT APPROVAL  
DISTRIBUTION/ALLOCATION PLAN  
OCCUPANT SAFETY SYTEMS SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Occupant Safety Systems case. The Allocation Plan includes, to the extent practicable, allowances based on *pro rata* distributions and utilizes a “weighted” point system that recognizes instances of alleged coordinated activity. The principles applied here will be applied to settlements benefitting automobile dealerships for other automobile parts cases in this litigation. Each parts case will have its own plan of distribution / allocation.

***Settlement Coverage:***

The Allocation Plan will allocate the net proceeds of each of the approved Occupant Safety System Settlements to:

- (1) Dealers who purchased vehicle models that were subject to alleged coordinated activity on bids for component parts;
- (2) Dealers who purchased subsequent vehicle models that were subject to alleged coordinated activity on bids for component parts;

- (3) Dealers who purchased vehicles whose manufacturers experienced multiple instances of alleged coordinated activity on bids for component parts;
- (4) Dealers who purchased other vehicles;
- (5) Dealers who purchased component parts subject to allegedly coordinated activity; and
- (6) A reserve fund for future allocations and distributions to eligible Settlement Class members.

This Allocation Plan is subject to court approval and may be revised or modified with Court approval if new relevant information becomes available. In addition, there may be supplements and additions to the list of vehicles appended hereto, without Court approval.

Payments will take into account, to the extent practicable, the number and type of new vehicles and covered component parts that a dealership purchased during the periods set forth in the Settlement Class definitions. While the make and model of some vehicles subject to the allegedly coordinated activity has been determined by Settlement Class Counsel, all of the data and information regarding affected models and years has not yet been made available to Settlement Class Counsel. As additional model or make information becomes available, the specific vehicles subject to allegedly coordinated activity and their model years will be assigned to a point class. As such, the initial reserve fund in the Occupant Safety Systems settlements will be 15% of the total funds to be distributed. The percentage of reserve funds in each of the future settlements may vary. In the event and to the extent that the reserve fund is not needed to cover payments described above, any funds remaining in the reserve fund after future allocations will be paid to eligible dealerships based on their *pro rata* share of the settlement funds and the eligible claims filed.

Only new vehicles purchased are eligible for inclusion. Used and pre-owned vehicles that a dealer has purchased at any time will not be included in the allocation.

***Weighted Point Allocations:***

Allocations will be determined on a *pro rata* basis using a “weighted” value for each new covered vehicle that dealers purchased during the relevant time periods:

- Each vehicle in a model year as to which there was alleged coordinated activity for a part used in that model will be assigned 100 points;
- Each vehicle in the subsequent three model years of a vehicle as to which there was alleged coordinated activity for a part used in that model will be assigned 75 points;
- Each vehicle whose OEM and model was subject to instances of alleged coordinated activity on bids for parts will be assigned 50 points;
- Each vehicle whose OEM was subject to instances of alleged coordinated activity on bids for parts will be assigned 35 points;
- Other vehicles not covered by the preceding paragraphs will be assigned 20 points;
- Occupant Safety Systems (parts only) purchased will be assigned 10 points;
- Alternatively, class members may choose to have the Settlement Administrator apply a formula through which the number of replacement Occupant Safety Systems (parts only) will be equal to 10% of the total number of covered vehicles that the dealer purchased, and each of those will be allocated 7 points, in lieu of determining and proving the actual number of Occupant Safety Systems purchased. (This percentage will be adjusted and disclosed with each proposed settlement.)

*Important Note:* Each claimant that submits a valid claim and purchased the vehicles in the states listed in the settlement documents will receive a **minimum payment of \$350**, which will be drawn from the various settlement funds. The maximum payment will depend on the application of the principles of allocation and the total amount of each settlement fund, after expenses.

More details about the anticipated distribution of the settlement funds are available in the papers filed with the Court in support of settlement approval, which are available on the settlement website, [www.AutoDealerSettlement.com](http://www.AutoDealerSettlement.com). In order to receive a payment, you need to file a valid claim. The settlement web site and claim form provide additional details about how to submit your claim. Further information is available at [www.AutoDealerSettlement.com](http://www.AutoDealerSettlement.com) or by calling the Settlement Administrator at 1-888-565-3171.

*Vehicle Allocation charts follow on this and the next page. The allocation information provided was not compiled or approved by Settling Defendants and is not to be construed as evidence or an admission*

*against any Settling Defendants that they participated in coordinated activities with respect to the listed vehicles and manufacturers.*

The following models will be assigned 100 points for each vehicle purchased from the model year listed:

Car Make	Car Model	Model Year
Acura	ILX	2013
Acura	RDX	2007
Acura	RDX	2013
Acura	RL	2011
Acura	RL	2013
Acura	RL	2014
Acura	TL	2004
Acura	TL	2009
Acura	ZDX	2010
Audi	A Series	2013
Audi	A3	2013
Audi	A8	2010
Audi	A8	2011
Audi	A8	2012
Audi	A8	2013
Audi	A8	2014
Audi	A8	2015
Audi	A8	2016
Audi	A8	2017
BMW	X3	2011
BMW	X5	2007
BMW	X5	2013
BMW	X6	2009
BMW	X6	2014
Buick	Enclave	2008
Buick	Enclave	2009
Buick	Enclave	2010
Buick	Enclave	2011
Buick	Enclave	2012
Buick	Enclave	2013
Buick	Enclave	2014

Car Make	Car Model	Model Year
Buick	Enclave	2015
Buick	Enclave	2016
Buick	Enclave	2017
Buick	LaCrosse	2010
Buick	LeSabre	2003
Buick	LeSabre	2004
Buick	LeSabre	2005
Buick	Lucerne	2006
Buick	Rainier	2004
Buick	Verano	2012
Cadillac	CTS	2003
Cadillac	CTS	2008
Cadillac	CTS Coupe	2011
Cadillac	Deville	2003
Cadillac	Deville	2004
Cadillac	Deville	2005
Cadillac	DTS	2006
Cadillac	STS	2005
Chevrolet	Classic	2005
Chevrolet	Cobalt	2005
Chevrolet	Colorado	2004
Chevrolet	Cruze	2008
Chevrolet	Silverado	2007
Chevrolet	Traverse	2009
Chevrolet	Traverse	2010
Chevrolet	Traverse	2011
Chevrolet	Traverse	2012
Chevrolet	Traverse	2013
Chevrolet	Traverse	2014
Chevrolet	Traverse	2015
Chevrolet	Traverse	2016

Car Make	Car Model	Model Year
Chevrolet	Traverse	2017
Chevrolet	Volt	2011
Chrysler	200	2011
Chrysler	300	2005
Chrysler	300	2011
Chrysler	Aspen	2004
Dodge	Challenger	2008
Dodge	Challenger	2011
Dodge	Charger	2006
Dodge	Charger	2011
Dodge	Dakota	2005
Dodge	Durango	2004
Dodge	Durango	2011
Ford	Edge	2007
Ford	Edge	2009
Ford	Edge	2011
Ford	F-Series	2009
Ford	Fusion	2006
Ford	GT	2005
Ford	Mustang	2005
GMC	Acadia	2007
GMC	Acadia	2008
GMC	Acadia	2009
GMC	Acadia	2010
GMC	Acadia	2011
GMC	Acadia	2012
GMC	Acadia	2013
GMC	Acadia	2014
GMC	Acadia	2015
GMC	Acadia	2016
GMC	Canyon	2004
Honda	Accord	2003
Honda	Accord	2008
Honda	Civic	2006
Honda	Civic	2011
Honda	Crosstour	2010

Car Make	Car Model	Model Year
Honda	CR-V	2012
Honda	Element	2003
Honda	Odyssey	2009
Honda	Pilot	2003
Honda	Pilot	2009
Honda	Ridgeline	2006
Hummer	H3	2006
Hummer	H3	2007
Hummer	H3	2008
Hummer	H3	2009
Hummer	H3	2010
Hummer	H3	2011
Hyundai	Elantra	2011
Hyundai	Santa Fe	2007
Hyundai	Sonata	2006
Isuzu	Ascender	2003
Jeep	Compass	2007
Jeep	Grand Cherokee	2011
Jeep	Wrangler	2007
Kia	Optima	2011
Lexus	GX	2009
Lexus	GX	2010
Lincoln	MKX	2007
Lincoln	MKZ	2006
Mazda	6	2004
Mazda	6	2005
Mazda	6	2006
Mazda	6	2007
Mazda	6	2008
Mazda	6	2009
Mazda	6	2010
Mazda	6	2011
Mazda	6	2012
Mazda	CX5	2012

Car Make	Car Model	Model Year
Mercedes-Benz	GL-Class	2007
Mercedes-Benz	M-Class	2006
Mercury	Milan	2006
Mitsubishi	Endeavor	2003
Mitsubishi	Endeavor	2005
Mitsubishi	Endeavor	2006
Mitsubishi	Endeavor	2007
Mitsubishi	Endeavor	2008
Mitsubishi	Endeavor	2009
Mitsubishi	Endeavor	2010
Mitsubishi	Endeavor	2011
Mitsubishi	Galant	2003
Mitsubishi	Galant	2004
Mitsubishi	Galant	2005
Mitsubishi	Galant	2006
Mitsubishi	Galant	2007
Mitsubishi	Galant	2008
Mitsubishi	Galant	2009
Mitsubishi	Galant	2010
Mitsubishi	Galant	2011
Mitsubishi	Galant	2012
Nissan	Armada	2004
Nissan	Frontier	2005
Nissan	Maxima	2004
Nissan	Maxima	2009
Nissan	NV series	2012
Nissan	Pathfinder	2005
Nissan	Quest	2004
Nissan	Quest	2011
Nissan	Titan	2004
Nissan	X-Terra	2005
Pontiac	Solstice	2006
Pontiac	Solstice	2007
Pontiac	Solstice	2008
Pontiac	Solstice	2009
Pontiac	Solstice	2010

Car Make	Car Model	Model Year
Pontiac	Vibe	2003
Pontiac	Vibe	2008
Pontiac	Vibe	2009
Pontiac	Vibe	2010
Saab	9-7X	2005
Saturn	Ion	2003
Saturn	Ion	2007
Saturn	Outlook	2007
Saturn	Outlook	2008
Saturn	Outlook	2009
Saturn	Outlook	2010
Saturn	Sky	2007
Saturn	Sky	2008
Saturn	Sky	2009
Saturn	Sky	2010
Subaru	Baja	2003
Subaru	Impreza	2007
Subaru	Legacy	2003
Subaru	Legacy	2004
Subaru	Legacy	2005
Subaru	Legacy	2006
Subaru	Legacy	2007
Subaru	Legacy	2008
Subaru	Legacy	2009
Subaru	Legacy	2010
Subaru	Legacy	2011
Subaru	Legacy	2012
Subaru	Legacy	2013
Subaru	Legacy	2014
Subaru	Legacy	2015
Subaru	Outback	2003
Subaru	Outback	2004
Subaru	Outback	2005
Subaru	Outback	2006
Subaru	Outback	2007
Subaru	Outback	2008
Subaru	Outback	2009

Car Make	Car Model	Model Year
Subaru	Outback	2010
Subaru	Outback	2011
Subaru	Outback	2012
Subaru	Outback	2013
Subaru	Outback	2014
Subaru	Tribeca	2004
Subaru	Tribeca	2005
Subaru	Tribeca	2006
Subaru	Tribeca	2007
Subaru	Tribeca	2008
Subaru	Tribeca	2009
Subaru	Tribeca	2010
Subaru	Tribeca	2011
Subaru	Tribeca	2012
Subaru	Tribeca	2013
Subaru	Tribeca	2014
Toyota	4-Runner	2009
Toyota	4-Runner	2010
Toyota	Avalon	2005
Toyota	Camry	2006
Toyota	Camry	2010
Toyota	Camry	2011
Toyota	Camry	2012
Toyota	Corolla	2006
Toyota	Corolla	2008
Toyota	Corolla	2012
Toyota	Highlander	2007
Toyota	Highlander	2008
Toyota	Highlander	2009

Car Make	Car Model	Model Year
Toyota	Highlander	2010
Toyota	Matrix	2003
Toyota	Matrix	2009
Toyota	Prius	2009
Toyota	Prius	2010
Toyota	Prius C	2012
Toyota	RAV4	2012
Toyota	Sequoia	2008
Toyota	Sienna	2003
Toyota	Sienna	2004
Toyota	Sienna	2010
Toyota	Sienna	2011
Toyota	Solara	2004
Toyota	Tacoma	2005
Toyota	Tundra	2007
Toyota	Venza	2004
Toyota	Venza	2009
Toyota	Yaris	2010
Toyota	Yaris	2012
Volkswagen	Golf	2013
Volkswagen	GTI	2013
Volkswagen	Jetta	2011
Volkswagen	Jetta	2013
Volkswagen	Jetta Sportswagen	2013
Volkswagen	Passat	2011
Volkswagen	Passat	2013
Volkswagen	Rabbit	2013
Volkswagen	Tiguan	2013

Vehicle models identified in the list above, that are purchased within three model years of the last listed year of a particular model, will be assigned 75 points. For example, a 2008 Chevrolet Cruze will receive 100 points and Chevrolet Cruze in model years 2009, 2010, or 2011 will receive 75 points.

Vehicle models identified in the list below purchased from January 1, 2003 to November 27, 2018 will receive 50 points. Class Counsel are working to determine a more precise definition for the makes and models listed below. If additional information is obtained, this list may be revised.

Car Make	Car Model	Model Year
Acura	RL	
Audi	A3	
Audi	A4	
Audi	A5	
Audi	A6	
Audi	A7	
Audi	A8	
Audi	Q3	
Audi	Q5	
Audi	Q7	
BMW	3 series	
BMW	5 Series	
BMW	6 Series	
BMW	7 Series	
BMW	M Series	
BMW	X3	
Chevrolet	HHR	
Chevrolet	Traverse	
Chevrolet	Uplander	
GMC	Acadia	
Honda	Civic	
Honda	CR-V	
Isuzu	Rodeo	
Lamborghini	Gallardo	
Lexus	ES	
Mazda	6	
Nissan	Altima	
Nissan	Maxima	
Nissan	Sentra	
Nissan	Versa	
Oldsmobile	Alero	

Car Make	Car Model	Model Year
Oldsmobile		2003
Pontiac	Grand Am	
Porsche	Cayenne	
Porsche	Macan	
Subaru	FRS	
Subaru	Impreza	
Subaru	Legacy	
Suzuki	Kizashi	
Toyota	4Runner	
Toyota	Avalon	
Toyota	Camry	
Toyota	Corolla	
Toyota	Highlander	
Toyota	Land Cruiser	
Toyota	Prius	
Toyota	Prius V	
Toyota	RAV4	
Toyota	Sequoia	
Toyota	Sienna	
Toyota	Solara	
Toyota	Tacoma	
Toyota	Tundra	
Toyota	Venza	
Toyota	Yaris	
Volkswagen	Beetle	
Volkswagen	Beetle Convertible	
Volkswagen	Golf	
Volkswagen	Golf Cabrio	
Volkswagen	Passat	
Volkswagen	Touareg	



All other models not identified above from the car makes in the two tables listed above and from Bentley, FIAT, and MINI that were purchased from January 1, 2003 to November 27, 2018 will be assigned 35 points. All other vehicles purchased from January 1, 2003 to November 27, 2018 will be assigned 20 points.