

**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: Fuel Injection Systems

2:13-cv-02202-MOB-MKM

THIS DOCUMENT RELATES TO:

Automobile Dealership Actions

**PROPOSED / PENDING COURT APPROVAL
DISTRIBUTION/ALLOCATION PLAN
AUTOMOTIVE FUEL INJECTION SYSTEMS SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Automotive Fuel Injection 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 Automotive Fuel Injection Systems 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 Automotive Fuel Injection 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**;
- Automotive Fuel Injection 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 Automotive Fuel Injection 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 Automotive Fuel Injection 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. 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 or by calling the Settlement Administrator at [1-888-565-3171](tel:1-888-565-3171).

Vehicle Allocation charts follow on the next pages. 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 models in Table 1 will be assigned 100 points for each vehicle purchased from the model year listed:

Table 1

Car Make	Car Model	Model Year
Acura	MDX	2005
Acura	MDX	2008
Acura	MDX	2010
Acura	MDX	2013
Acura	MDX	2014
Acura	MDX	2015
Acura	MDX	2016
Acura	RL	2011
Acura	RL	2013
Acura	RL	2014
Acura	RL	2015
Acura	RL	2016
Acura	TL	2008
Acura	TL	2011
Acura	TL	2012
Acura	TL	2013
Acura	TL	2014
Acura	TL	2015
Acura	TL	2016
Audi	A3	2013
Buick	LaCrosse	2007
Cadillac	CTS	2008
Cadillac	CTS	2009
Chevrolet	Cobalt	2007
Chevrolet	Corvette	2008
Chevrolet	Corvette	2009
Chevrolet	Corvette	2011
Chevrolet	Corvette	2012
Chevrolet	Corvette	2013
Chevrolet	Corvette	2014
Chevrolet	Cruz	2015
Chevrolet	Impala	2006
Chevrolet	Impala	2007
Chevrolet	Impala	2008
Chevrolet	Malibu	2007

Car Make	Car Model	Model Year
Chevrolet	Monte Carlo	2006
Chevrolet	Monte Carlo	2007
Chevrolet	Monte Carlo	2008
Chevrolet	Sonic	2015
Dodge	Sprinter	2006
Dodge	Sprinter	2007
Dodge	Sprinter	2008
Dodge	Sprinter	2009
Honda	Accord	2003
Honda	Accord	2007
Honda	Accord	2008
Honda	Accord	2013
Honda	Accord Hybrid	2013
Honda	Civic	2006
Honda	Civic	2011
Honda	Civic	2012
Honda	Civic	2013
Honda	Civic	2014
Honda	Civic	2015
Honda	Fit	2008
Honda	Fit	2014
Honda	Odyssey	2005
Honda	Pilot	2009
Infiniti	QX56	2004
Jaguar	XF	2007
Jaguar	XJ	2005
Mazda	2	2010
Mazda	6	2011
Mercedes Benz	Sprinter	2006
Mercedes Benz	Sprinter	2007
Mercedes Benz	Sprinter	2008
Mercedes Benz	Sprinter	2009
Mercedes Benz	Sprinter	2010
Mercedes Benz	Sprinter	2011
Mercedes Benz	Sprinter	2012

Car Make	Car Model	Model Year
Mercedes Benz	Sprinter	2013
Mercedes Benz	Sprinter	2014
Mercedes Benz	Sprinter	2015
Mercedes Benz	Sprinter	2016
Mitsubishi	Lancer	2007
Mitsubishi	Mirage	2012
Mitsubishi	Mirage	2013
Mitsubishi	Mirage	2014
Mitsubishi	Mirage	2015
Mitsubishi	Mirage	2016
Mitsubishi	Mirage	2017
Mitsubishi	Mirage	2018
Mitsubishi	Mirage	2019
Mitsubishi	Outlander	2007
Nissan	Altima	2001
Nissan	Altima	2006
Nissan	Altima	2007
Nissan	Altima	2008
Nissan	Altima	2009
Nissan	Altima	2010
Nissan	Altima	2011
Nissan	Altima	2012
Nissan	Altima Hybrid	2008
Nissan	Altima Hybrid	2009
Nissan	Altima Hybrid	2010
Nissan	Altima Hybrid	2011
Nissan	Altima Hybrid	2012
Nissan	Altima Hybrid	2013
Nissan	Armada	2004
Nissan	Maxima	2006
Nissan	Maxima	2007
Nissan	Maxima	2008
Nissan	Maxima	2009
Nissan	Maxima	2010
Nissan	Maxima	2011
Nissan	Maxima	2012
Nissan	Quest	2007

Car Make	Car Model	Model Year
Nissan	Quest	2008
Nissan	Quest	2009
Nissan	Quest	2010
Nissan	Quest	2011
Nissan	Quest	2012
Nissan	Sentra	2006
Nissan	Sentra	2007
Nissan	Sentra	2008
Nissan	Sentra	2009
Nissan	Sentra	2010
Nissan	Sentra	2011
Nissan	Titan	2004
Nissan	Versa	2010
Nissan	Versa	2011
Nissan	Versa	2012
Nissan	Versa	2013
Nissan	Versa	2014
Nissan	Versa	2015
Nissan	Xterra	2006
Nissan	Xterra	2007
Nissan	Xterra	2008
Nissan	Xterra	2009
Nissan	Xterra	2010
Nissan	Xterra	2011
Pontiac	G5	2007
Pontiac	G6	2007
Pontiac	Solstice	2007
Pontiac	Solstice Coupe	2007
Saturn	Aura	2007
Saturn	Ion	2007
Saturn	Sky	2007
Saturn	Vue	2007
Scion	iQ	2008
Subaru	Forester	2008
Subaru	Forester	2012
Subaru	Impreza	2007
Subaru	Impreza	2011

Car Make	Car Model	Model Year
Subaru	Legacy	2004
Subaru	Legacy	2005
Subaru	Legacy	2006
Subaru	Legacy	2009
Subaru	Legacy	2012
Suzuki	Vitara	2003

Car Make	Car Model	Model Year
Suzuki	Vitara	2004
Suzuki	Vitara	2008
Toyota	Camry	2011
Toyota	Tacoma	2003
Toyota	Yaris	2006
Volkswagen	Golf	2013

Vehicle models identified in Table 1, that are purchased within three model years after the last listed year of a particular model, will be assigned 75 points.

Vehicle models identified in Table 2 below purchased from January 1, 2000 to June 28, 2019 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.

Table 2

Car Make	Car Model	Model Year
Acura		2009
Audi	A3	
Audi	A4	
Cadillac	SRX	
Chevrolet	HHR	
Ford	F-150 Series	
Honda	Civic	
Honda		2003
Honda		2004
Honda		2005
Honda		2006
Honda		2007
Honda		2008
Honda		2009
Honda		2010
Honda		2011
Honda		2012
Hummer	H3	
Hyundai	Accent	

Car Make	Car Model	Model Year
Hyundai	Azera	
Hyundai	Elantra	
Hyundai	Elantra GT	
Hyundai	Santa Fe	
Hyundai	Sonata	
Hyundai	Tucson	
Hyundai	Veloster	
Isuzu	Rodeo	
Kia	Forte	
Kia	Optima	
Kia	Rio	
Kia	Rondo	
Kia	Sportage	
Lexus	ES	
Lexus	GS	
Lexus	IS	
Lexus	RX	
Mazda	2	
Mazda	3	

Car Make	Car Model	Model Year
Mazda	5	
Mazda	6	
Mazda	RX8	
Mazda	Tribute	
Mercedes Benz	B Class	
Mercedes Benz	C Class	
Mitsubishi	Galant	
Mitsubishi	Lancer	
Mitsubishi	Mirage	
Mitsubishi	Outlander	
Nissan	Altima	
Nissan	Frontier	
Nissan	Juke	
Nissan	Maxima	
Nissan	Pathfinder	
Nissan	Sentra	
Nissan	Titan	
Nissan	Versa	
Nissan	Xterra	
Nissan		2009
Nissan		2010
Nissan		2011
Nissan		2012
Nissan		2013
Nissan		2014
Nissan		2015
Scion	FR-S	

Car Make	Car Model	Model Year
Subaru	BRZ	
Subaru	Forester	
Subaru	Legacy	
Suzuki	Grand Vitara	
Suzuki	Kizashi	
Suzuki	SX4	
Suzuki	Vitara	
Suzuki		2011
Toyota	86	
Toyota	4Runner	
Toyota	Avalon	
Toyota	Camry	
Toyota	Highlander	
Toyota	Land Cruiser	
Toyota	RAV4	
Toyota	Sienna	
Toyota	Tacoma	
Toyota	Venza	
Volkswagen	Golf	
Volkswagen	Jetta	
Volvo	C70	
Volvo	S60	
Volvo	S80	
Volvo	V70	
Volvo	XC60	
Volvo	XC70	
Volvo	XC90	

Vehicle models identified in Table 3 below purchased from January 1, 2000 to June 28, 2019 will receive 35 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.

Table 3

Car Make
Fiat
Ford
Honda

Car Make
Hyundai
Isuzu
Mazda

Car Make
Mitsubishi
Nissan
Toyota

Car Make
Volkswagen
Volvo

All other models from the car makes which are not identified in Tables 1, 2, and 3 above that were purchased from January 1, 2000 to June 28, 2019 will be assigned 35 points. All other vehicles purchased from January 1, 2000 to June 28, 2019 will be assigned 20 points.