

**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

THIS DOCUMENT RELATES TO:

Dealership Actions

2:12-cv-02202-MOB-MKM

**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 20% 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**.

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	2013
Acura	MDX	2014
Acura	MDX	2015
Acura	MDX	2016
Acura	RL	2013
Acura	RL	2014
Acura	RL	2015
Acura	RL	2016
Acura	TL	2011
Acura	TL	2013
Acura	TL	2014
Acura	TL	2015
Acura	TL	2016
Audi	A3	2013
Chevrolet	Corvette	2011.5
Chevrolet	Corvette	2012
Chevrolet	Corvette	2013
Chevrolet	Corvette	2014
Chevrolet	Impala	2006
Chevrolet	Impala	2007
Chevrolet	Impala	2008
Chevrolet	Monte Carlo	2006
Chevrolet	Monte Carlo	2007
Chevrolet	Monte Carlo	2008
Ford	Jaguar XJ	2005
Ford	Jaguar XF	2007
Honda	Accord	2003
Honda	Accord	2008
Honda	Pilot	2009
Mazda	Mazda 2	2010
Mazda	Mazda 6	2011
Nissan	Altima	2006
Nissan	Altima	2007
Nissan	Altima	2008
Nissan	Altima	2009

Car Make	Car Model	Model Year
Nissan	Altima	2010
Nissan	Altima	2011
Nissan	Altima	2012
Nissan	Maxima	2006
Nissan	Maxima	2007
Nissan	Maxima	2008
Nissan	Maxima	2009
Nissan	Maxima	2010
Nissan	Maxima	2011
Nissan	Maxima	2012
Nissan	Quest	2007
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	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
Subaru	Forester	2012

Car Make	Car Model	Model Year
Subaru	Impreza	2007
Subaru	Impreza	2011
Subaru	Legacy	2005
Subaru	Legacy	2006
Subaru	Legacy	2009
Subaru	Legacy	2012

Car Make	Car Model	Model Year
Subaru	Legacy 21-Z	2004
Suzuki	Vitara	2003
Suzuki	Vitara	2004
Toyota	Camry	2011
Toyota	Yaris	2006
Volkswagen	VW 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 March 26, 2015 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
Audi	A3	
Buick		2005
Buick		2006
Buick		2011
Buick		2014
Cadillac		2005
Cadillac		2006
Cadillac		2011
Cadillac		2014
Chevrolet		2005
Chevrolet		2006
Chevrolet		2011
Chevrolet		2014
Ford	F-150	
Ford	F-150 Super Crew	
GMC		2005
GMC		2006

Car Make	Car Model	Model Year
GMC		2011
GMC		2014
Honda	Civic	
Hummer		2005
Hummer		2006
Hummer	H3	
Kia	Sportage	
Lexus	RX	
Mazda	Mazda 3	
Mazda	Mazda 5	
Mazda	Mazda 6	
Mazda	RX8	
Mazda	Tribute	
Mercedes Benz	C Class	
Mitsubishi		2012
Mitsubishi	Galant	
Mitsubishi	Outlander	

Car Make	Car Model	Model Year
Nissan		2009
Nissan		2010
Nissan		2011
Nissan		2012
Nissan		2013
Nissan		2014
Nissan		2015
Nissan	Altima	
Nissan	Frontier	
Nissan	Juke	
Nissan	Murano	
Nissan	Pathfinder	
Nissan	Sentra	
Nissan	Titan	
Nissan	Versa	
Nissan	Xterra	
Pontiac		2005
Pontiac		2006

Car Make	Car Model	Model Year
Saab		2005
Saab		2006
Saturn		2005
Saturn		2006
Subaru	Legacy	
Suzuki		2011
Suzuki	Grand Vitara	
Suzuki	Vitara	
Toyota	Sienna	
Volkswagen	Jetta	
Volvo	C70	
Volvo	S60	
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 March 26, 2015 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
Buick
Cadillac
Chevrolet
Fiat

Car Make
Ford
GMC
Honda
Hummer

Car Make
Hyundai
Mazda
Mitsubishi
Nissan

Car Make
Oldsmobile
Pontiac
Toyota

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 March 26, 2015 will be assigned 35 points. All other vehicles purchased from January 1, 2000 to March 26, 2015 will be assigned 20 points.