

**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: HID Ballasts

2:13-cv-01702-MOB-MKM

THIS DOCUMENT RELATES TO:

Dealership Actions

**PROPOSED / PENDING COURT APPROVAL
DISTRIBUTION/ALLOCATION PLAN
AUTOMOTIVE HID BALLASTS SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Automotive HID Ballasts 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 HID Ballasts 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 HID Ballasts settlements will be 40% 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.

Dealers who purchased vehicles in Montana are only eligible for payment under the settlement with Panasonic.

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**;

- HID Ballasts (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 HID Ballasts (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 HID Ballasts 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 this and 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 following models will be assigned 100 points for each vehicle purchased from the model year listed:

Car Make	Car Model	Model Year(s)
Acura	MDX	2007
Acura	MDX	2008
Acura	MDX	2009
Acura	MDX	2010
Acura	RL	1998
Acura	RL	1999
Acura	RL	2000
Acura	RL	2001
Acura	RL	2002
Acura	RL	2003

Car Make	Car Model	Model Year(s)
Acura	RL	2004
Acura	RL	2005
Acura	RL	2006
Acura	RL	2007
Acura	RL	2008
Acura	RL	2009
Acura	RL	2010
Acura	RL	2013
Acura	TL	2004
Honda	Accord	2003

Car Make	Car Model	Model Year(s)
Honda	Accord	2004
Honda	Accord	2005
Honda	Accord	2006
Honda	Accord	2007
Honda	Accord	2013
Honda	Civic	2006
Honda	CRV	2005
Honda	CRV	2007
Infiniti	EX	2008
Infiniti	EX35	2008
Infiniti	EX35	2009
Infiniti	EX35	2010
Infiniti	FX35	2003
Infiniti	FX35	2004
Infiniti	FX35	2005
Infiniti	FX35	2006
Infiniti	FX35	2007
Infiniti	FX35	2008
Infiniti	FX35	2009
Infiniti	FX35	2010
Infiniti	FX45	2003
Infiniti	FX45	2004
Infiniti	FX45	2005
Infiniti	FX45	2006
Infiniti	FX45	2007
Infiniti	FX45	2008
Infiniti	FX45	2009
Infiniti	FX45	2010
Infiniti	FX50	2003
Infiniti	FX50	2004
Infiniti	FX50	2005
Infiniti	FX50	2006
Infiniti	FX50	2007
Infiniti	FX50	2008
Infiniti	FX50	2009
Infiniti	FX50	2010
Infiniti	G35	2003

Car Make	Car Model	Model Year(s)
Infiniti	G35	2004
Infiniti	G35	2005
Infiniti	G35	2006
Infiniti	G35	2007
Infiniti	G35	2008
Infiniti	G35	2009
Infiniti	G35	2010
Infiniti	G37	2003
Infiniti	G37	2004
Infiniti	G37	2005
Infiniti	G37	2006
Infiniti	G37	2007
Infiniti	G37	2008
Infiniti	G37	2009
Infiniti	G37	2010
Infiniti	I-30	1999
Infiniti	I-30	2000
Infiniti	I-30	2001
Infiniti	I-30	2002
Infiniti	I-30	2003
Infiniti	I-30	2004
Infiniti	I-35	1999
Infiniti	I-35	2000
Infiniti	I-35	2001
Infiniti	I-35	2002
Infiniti	I-35	2003
Infiniti	I-35	2004
Infiniti	M	2009
Infiniti	M-35	2006
Infiniti	M-35	2007
Infiniti	M-35	2008
Infiniti	M-35	2009
Infiniti	M-35	2010
Infiniti	Q-45	1999
Infiniti	Q-45	2000
Infiniti	Q-45	2001
Infiniti	Q-45	2002

Car Make	Car Model	Model Year(s)
Infiniti	Q-45	2003
Infiniti	Q-45	2004
Infiniti	Q-45	2005
Infiniti	Q-45	2006
Infiniti	QX-4	1999
Infiniti	QX-4	2000
Infiniti	QX-4	2001
Infiniti	QX-4	2002
Infiniti	QX-4	2003
Infiniti	QX-56	2003
Infiniti	QX-56	2004
Infiniti	QX-56	2005
Infiniti	QX-56	2006
Infiniti	QX-56	2007
Infiniti	QX-56	2008
Infiniti	QX-56	2009
Infiniti	QX-56	2010
Lexus	CT	2011
Lexus	LS	2006
Mazda	3	2004
Mazda	3	2005
Mazda	3	2006
Mazda	3	2007
Mazda	3	2008
Mazda	3	2009
Mazda	3	2010
Mazda	3	2011
Mazda	5	2005
Mazda	5	2006
Mazda	5	2007
Mazda	5	2008
Mazda	5	2009
Mazda	5	2010
Mazda	6	2006
Mazda	6	2007
Mazda	6	2008
Mazda	6	2009

Car Make	Car Model	Model Year(s)
Mazda	6	2010
Mazda	CX7	2007
Mazda	Miata	2006
Mazda	Miata	2007
Mazda	Miata	2008
Mazda	Miata	2009
Mazda	Miata	2010
Mazda	MX5	2006
Mazda	MX5	2007
Mazda	MX5	2008
Mazda	MX5	2009
Mazda	MX5	2010
Mazda	RX8	2004
Mazda	RX8	2005
Mazda	RX8	2006
Mazda	RX8	2007
Mazda	RX8	2008
Mazda	RX8	2009
Mazda	RX8	2010
Mitsubishi	Outlander	2005
Mitsubishi	Outlander	2012
Mitsubishi	Outlander Sport	2010
Nissan	350Z	2003
Nissan	350Z	2004
Nissan	350Z	2005
Nissan	350Z	2006
Nissan	350Z	2007
Nissan	350Z	2008
Nissan	370Z	2009
Nissan	370Z	2010
Nissan	370Z	2011
Nissan	Altima	1998
Nissan	Altima	1999
Nissan	Altima	2000
Nissan	Altima	2001
Nissan	Altima	2002

Car Make	Car Model	Model Year(s)
Nissan	Altima	2003
Nissan	Altima	2004
Nissan	Altima	2005
Nissan	Altima	2006
Nissan	Altima	2007
Nissan	Altima	2008
Nissan	Altima	2009
Nissan	Altima	2010
Nissan	GT-R	2009
Nissan	GT-R	2010
Nissan	Leaf	2010
Nissan	Leaf	2013
Nissan	Maxima	1999
Nissan	Maxima	2000
Nissan	Maxima	2001
Nissan	Maxima	2002
Nissan	Maxima	2003
Nissan	Maxima	2004
Nissan	Maxima	2005

Car Make	Car Model	Model Year(s)
Nissan	Maxima	2006
Nissan	Maxima	2007
Nissan	Maxima	2008
Nissan	Maxima	2009
Nissan	Maxima	2010
Nissan	Murano	2009
Nissan	Murano	2010
Nissan	Rogue	2007
Nissan	Rogue	2008
Nissan	Rogue	2009
Nissan	Rogue	2010
Nissan	Murano	2008
Nissan	Quest	2011
Subaru	BRZ	2012
Subaru	Impreza STI	2011
Toyota	Camry	2006
Toyota	Prius	2009
Toyota	Prius Alpha	2011
Toyota	RAV-4	2013

Vehicle models identified in the list above, 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 the list below purchased from July 1, 1998 to February 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.

Car Make	Car Model	Model Year(s)
Acura	MDX	
Acura	TL	
Honda		2000
Honda	Odyssey	
Infiniti	M45	
Infiniti	Q45	
Infiniti	QX56	
Infiniti		2003

Car Make	Car Model	Model Year(s)
Infiniti		2004
Infiniti		2005
Infiniti		2006
Infiniti		2007
Infiniti		2008
Infiniti		2009
Infiniti		2010
Lexus	GS	

Car Make	Car Model	Model Year(s)
Mazda		2000
Mazda	6	
Mitsubishi		2000
Nissan	Altima	
Nissan	Maxima	
Nissan	Versa	
Nissan		2000
Nissan		2010
Subaru		2000

Car Make	Car Model	Model Year(s)
Subaru	Forester	
Subaru	Impreza	
Subaru	Impreza STI	
Suzuki		2000
Toyota	Avalon	
Lexus	GS	
Toyota		2000

Vehicle makes identified in the list below purchased from July 1, 1998 to February 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.

Car Make
Buick
Cadillac
Chevrolet
Ford

Car Make
GMC
Hummer
Isuzu
Lincoln

Car Make
Mazda
Mercury
Mitsubishi
Nissan

Car Make
Oldsmobile
Pontiac
Saturn
Subaru

Car Make
Toyota

All other models not identified above from the car makes in the tables listed above that were purchased from July 1, 1998 to February 26, 2015, will be assigned 35 points. All other vehicles purchased from July 1, 1998 to February 26, 2015, will be assigned 20 points.