

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

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| In Re: AUTOMOTIVE PARTS<br>ANTITRUST LITIGATION                | Master File No. 12-md-02311<br>Honorable Marianne O. Battani |
| In Re: Starters  | 2:13-cv-01102-MOB-MKM  |
| THIS DOCUMENT RELATES TO:<br><br>Automobile Dealership Actions |  |

**PROPOSED / PENDING COURT APPROVAL  
DISTRIBUTION/ALLOCATION PLAN  
STARTERS SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Starters 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 Starters 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 Starters 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**;
- Starters (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 Starters (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 Starters 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](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 following models (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     | RDX         | 2012       |
| Acura     | RDX         | 2013       |
| Acura     | RDX         | 2014       |
| Acura     | RDX         | 2015       |
| Audi      | A3          | 2014       |
| BMW       | X3          | 2013       |
| BMW       | X4          | 2014       |
| BMW       | X5          | 2014       |
| BMW       | X5 M        | 2013       |
| BMW       | X6 M        | 2013       |
| BMW       | Z4          | 2013       |
| Buick     | Enclave     | 2007       |
| Buick     | Enclave     | 2008       |
| Buick     | Enclave     | 2009       |
| Buick     | Enclave     | 2010       |
| Buick     | LeSabre     | 2009       |
| Buick     | LeSabre     | 2010       |
| Buick     | Lucerne     | 2006       |
| Cadillac  | XRS         | 2008       |
| Chevrolet | Cobalt      | 2005       |
| Chevrolet | Express     | 2008       |
| Chevrolet | Express     | 2009       |
| Chevrolet | HHR         | 2005       |
| Chevrolet | Silverado   | 2008       |
| Chevrolet | Silverado   | 2009       |
| Chevrolet | Silverado   | 2014       |
| Chevrolet | Silverado   | 2015       |
| Chevrolet | Trailblazer | 2007       |
| Chevrolet | Trailblazer | 2008       |
| Chevrolet | Chevy HHR   | 2005       |
| Chrysler  | 300C        | 2011       |
| Chrysler  | 300         | 2005       |
| Dodge     | Charger     | 2005       |
| Fiat      | 500         | 2012       |
| GMC       | Envoy       | 2007       |
| GMC       | Envoy       | 2008       |

| Car Make | Car Model | Model Year |
|----------|-----------|------------|
| GMC      | Acadia    | 2007       |
| GMC      | Acadia    | 2008       |
| GMC      | Acadia    | 2009       |
| GMC      | Acadia    | 2010       |
| GMC      | Envoy     | 2007       |
| GMC      | Envoy     | 2009       |
| GMC      | Envoy     | 2010       |
| GMC      | Sierra    | 2007       |
| GMC      | Sierra    | 2008       |
| GMC      | Sierra    | 2009       |
| GMC      | Sierra    | 2010       |
| GMC      | Sierra    | 2014       |
| GMC      | Sierra    | 2015       |
| GMC      | Silverado | 2007       |
| GMC      | Silverado | 2008       |
| GMC      | Silverado | 2009       |
| GMC      | Silverado | 2010       |
| GMC      | Suburban  | 2007       |
| GMC      | Suburban  | 2008       |
| GMC      | Suburban  | 2009       |
| GMC      | Suburban  | 2010       |
| Honda    | Accord    | 2003       |
| Honda    | Accord    | 2008       |
| Honda    | Civic     | 2001       |
| Honda    | Civic     | 2006       |
| Honda    | Civic     | 2011       |
| Honda    | CRV       | 2012       |
| Honda    | Fit       | 2008       |
| Honda    | Odyssey   | 2011       |
| Honda    | Pilot     | 2004       |
| Hummer   | H2        | 2006       |
| Isuzu    | Ascender  | 2007       |
| Isuzu    | Ascender  | 2009       |
| Isuzu    | Ascender  | 2010       |
| Jaguar   | F-Type    | 2012       |
| Jaguar   | XF        | 2012       |

| Car Make      | Car Model                            | Model Year |
|---------------|--------------------------------------|------------|
| Jaguar        | XJ                                   | 2012       |
| Jeep          | Compass                              | 2011       |
| Jeep          | Grand Cherokee                       | 1999       |
| Jeep          | Wrangler                             | 1999       |
| Land Rover    | Range Rover                          | 2012       |
| Mazda         | 2                                    | 2010       |
| Mazda         | Mazda 6                              | 2008       |
| Mercedes Benz | B Class                              | 2012       |
| Mercedes Benz | ML Class                             | 2012       |
| Mercedes Benz | ML Class Diesel, Manual Transmission | 2010       |
| Mercedes Benz | ML Class Diesel                      | 2011       |
| Nissan        | Altima                               | 2007       |
| Nissan        | Altima                               | 2008       |
| Nissan        | Sentra                               | 2006       |
| Nissan        | Sentra                               | 2007       |
| Nissan        | Sentra                               | 2008       |
| Nissan        | Sentra                               | 2009       |
| Nissan        | Sentra                               | 2010       |
| Nissan        | Versa                                | 2006       |
| Nissan        | Versa                                | 2007       |
| Nissan        | Versa                                | 2008       |
| Nissan        | Versa                                | 2009       |
| Nissan        | Versa                                | 2010       |
| Oldsmobile    | Bravada                              | 2007       |
| Oldsmobile    | Bravada                              | 2008       |
| Oldsmobile    | Bravada                              | 2009       |
| Oldsmobile    | Bravada                              | 2010       |

| Car Make   | Car Model            | Model Year |
|------------|----------------------|------------|
| Pontiac    | G5                   | 2005       |
| Ram        | 2500 Pickup (Diesel) | 2010       |
| Ram        | 3500 Pickup (Diesel) | 2010       |
| Saab       | 94S                  | 2008       |
| Saturn     | Outlook              | 2007       |
| Saturn     | Outlook              | 2008       |
| Saturn     | Outlook              | 2009       |
| Saturn     | Outlook              | 2010       |
| Saturn     | Vue                  | 2009       |
| Saturn     | Vue                  | 2010       |
| Subaru     | BRZ                  | 2012       |
| Subaru     | Legacy               | 2004       |
| Subaru     | Legacy               | 2006       |
| Subaru     | Tribeca              | 2006       |
| Suzuki     | Grand Vitara         | 2005       |
| Suzuki     | Kizashi              | 2010       |
| Suzuki     | Sidekick             | 2005       |
| Suzuki     | XL7                  | 2007       |
| Suzuki     | XL7                  | 2008       |
| Suzuki     | XL7                  | 2009       |
| Suzuki     | XL7                  | 2010       |
| Toyota     | Camry                | 2011       |
| Toyota     | Camry                | 2012       |
| Toyota     | Corolla              | 2005       |
| Toyota     | Sequoia              | 2005       |
| Toyota     | Tacoma               | 2004       |
| Toyota     | Tacoma               | 2005       |
| Volkswagen | Golf                 | 2015       |

In addition, with regard to Isuzu Elf Medium Duty N-Series or F-Series Trucks, to the extent any such Model Year 2003 or 2004 vehicle was purchased for resale by an automobile dealership, and not a separate truck franchisee associated with an automobile dealership, from January 1, 1998 to January 31, 2009, such dealership will also be assigned 100 points for each such vehicle. Vehicle models identified in the list above, that are purchased within three model years after the listed year of a particular model, will be assigned 75 points.

Vehicle models identified in the following list (Table 2) purchased from January 1, 1998 to July 14, 2016 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 |
|-----------|----------------|------------|
| BMW       | X3             |            |
| Buick     | LeSabre        |            |
| Buick     | Lucerne        |            |
| Cadillac  | CTS            |            |
| Chevrolet | Camaro         |            |
| Chevrolet | Equinox        |            |
| Chevrolet | Impala         |            |
| Chrysler  | Aspen          |            |
| Chrysler  | Town & Country |            |
| Chrysler  | 200            |            |
| Chrysler  |                | 2010       |
| Dodge     | Caliber        |            |
| Dodge     | Caravan        |            |
| Dodge     | Dakota         |            |
| Dodge     | Durango        |            |
| Dodge     | Caliber        |            |
| Dodge     | Charger        |            |
| Dodge     | Magnum         |            |
| Jeep      | Cherokee       |            |

| Car Make      | Car Model | Model Year |
|---------------|-----------|------------|
| Jeep          | Commander |            |
| Jeep          | Patriot   |            |
| Mazda         | Mazda 6   |            |
| Mercedes Benz | C Class   |            |
| Mercedes Benz | E Class   |            |
| Mercedes Benz | ML Class  |            |
| Mitsubishi    | Lancer    |            |
| Mitsubishi    | Outlander |            |
| Nissan        |           | 2010       |
| Nissan        |           | 2011       |
| Nissan        |           | 2012       |
| Nissan        |           | 2013       |
| Nissan        |           | 2014       |
| Nissan        |           | 2015       |
| Pontiac       | Torrent   |            |
| Ram           |           | 2009       |
| Scion         | FR-S      |            |
| Subaru        | Impreza   |            |
| Suzuki        | SX4       |            |

Vehicles from manufacturers identified in Table 3 purchased from January 1, 1998 to July 14, 2016, that are not specifically included in Table 1 or 2, above, will receive 35 points. Class Counsel are working to determine a more precise definition for the makes listed below. If additional information is obtained, this list may be revised.

**Table 3**

| Car Make     |
|--------------|
| Aston Martin |
| Audi         |
| Chrysler     |
| Ford         |

| Car Make |
|----------|
| Honda    |
| Hyundai  |
| Isuzu    |
| Nissan   |

| Car Make   |
|------------|
| Subaru     |
| Toyota     |
| Volkswagen |
| Volvo      |

All other models not identified above from the car makes in the three tables listed above that were purchased from January 1, 1998 to July 14, 2016 will be assigned 20 points.