

**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: Wire Harness Cases

2:12-cv-00102-MOB-MKM

THIS DOCUMENT RELATES TO:

Automobile Dealership Actions

**PROPOSED / PENDING COURT APPROVAL
DISTRIBUTION/ALLOCATION PLAN
WIRE HARNESS SETTLEMENTS**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Wire Harness case. The Allocation Plan includes allowances based on *pro rata* distributions and utilizes a “weighted” point system that recognizes instances of alleged collusion and bid-rigging. To the extent practicable, 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 and/or allocation.

Settlement Coverage:

The Allocation Plan will allocate the net proceeds of each of the approved Wire Harness 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 allocation and distribution to eligible Settlement Class members.

This Allocation Plan is subject to court approval and may be revised 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 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. The initial reserve fund in the Wire Harness settlements will be 20% of the total funds. 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 in 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 in 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 targeted by 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**;
- Wire Harness 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 Wire Harness Systems (parts only) will 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 Wire Harness 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).

A Vehicle Allocation chart follows below. 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	CL	2004
Acura	MDX	2007
Acura	RDX	2006
Acura	RDX	2007
Acura	RDX	2012
Acura	RDX	2013
Acura	RL	2005
Acura	RL	2011
Acura	TL	2004
Acura	TL	2009
Acura	TL	2010
Acura	ZDX	2010

Car Make	Car Model	Model Year
Honda	Accord	2002
Honda	Accord	2003
Honda	Accord	2008
Honda	Accord	2013
Honda	Crosstour	2010
Honda	Civic	2001
Honda	Civic	2006
Honda	Civic	2011
Honda	CRV	2007
Honda	CRV	2012
Honda	CRZ	2010
Honda	Element	2003

Car Make	Car Model	Model Year
Honda	Fit	2006
Honda	Fit	2007
Honda	Fit	2008
Honda	Insight	2009
Honda	Odyssey	2005
Honda	Odyssey	2011
Honda	Pilot	2003
Honda	Pilot	2005
Honda	Pilot	2008
Honda	Pilot	2009
Honda	Ridgeline	2005
Honda	Ridgeline	2006
Infiniti	EX	2008
Infiniti	FX	2003
Infiniti	FX	2008
Infiniti	G	2006
Infiniti	G	2007
Infiniti	M	2009
Infiniti	M	2010
Lexus	GS	2011
Lexus	GS	2012
Lexus	RX	2003
Lexus	RX	2008
Nissan	Altima	2006
Nissan	Altima	2009
Nissan	Altima	2013
Nissan	Altima	2014
Nissan	Cube	2008
Nissan	Juke	2008
Nissan	Juke	2010
Nissan	Maxima	2005
Nissan	Maxima	2008
Nissan	Maxima	2009
Nissan	Maxima	2013
Nissan	Maxima	2014
Nissan	Murano	2007
Nissan	Quest	2006
Nissan	Quest	2009
Nissan	Sentra	2006

Car Make	Car Model	Model Year
Nissan	Versa	2002
Nissan	Versa	2011
Pontiac	Vibe	2006
Pontiac	Vibe	2007
Scion	FR-S	2012
Subaru	BRZ	2012
Subaru	BRZ	2013
Subaru	Forester	2003
Subaru	Forester	2004
Subaru	Forester	2005
Subaru	Forester	2006
Subaru	Forester	2007
Subaru	Forester	2008
Subaru	Forester	2010
Subaru	Forester	2011
Subaru	Forester	2012
Subaru	Impreza	2004
Subaru	Impreza	2005
Subaru	Impreza	2006
Subaru	Impreza	2007
Subaru	Impreza	2008
Subaru	Impreza	2009
Subaru	Impreza	2010
Subaru	Impreza	2011
Subaru	Impreza	2012
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	2014
Subaru	Legacy	2015
Subaru	Outback	2003
Subaru	Outback	2009

Car Make	Car Model	Model Year
Subaru	Tribeca	2005
Subaru	Tribeca	2006
Subaru	Tribeca	2007
Subaru	Tribeca	2008
Subaru	Tribeca	2012
Suzuki	Kizashi	2010
Suzuki	Sidekick	1998
Suzuki	Sidekick	2005
Toyota	Avalon	2005
Toyota	Avalon	2012
Toyota	Avalon	2013
Toyota	Camry	2003
Toyota	Camry	2005
Toyota	Camry	2006
Toyota	Camry	2007
Toyota	Camry	2009
Toyota	Camry	2011
Toyota	Camry Hybrid	2011
Toyota	Celica	2003
Toyota	Corolla	2005
Toyota	Corolla	2006
Toyota	Corolla	2007
Toyota	Corolla	2013
Toyota	Highlander	2009
Toyota	Highlander	2010
Toyota	Matrix	2006
Toyota	Matrix	2007
Toyota	Previa	2007
Toyota	Prius	2009

Car Make	Car Model	Model Year
Toyota	RAV4	2007
Toyota	RAV4	2013
Toyota	RX	2010
Toyota	Sequoia	2006
Toyota	Sequoia	2007
Toyota	Sequoia	2008
Toyota	Sienna	2003
Toyota	Sienna	2004
Toyota	Sienna	2009
Toyota	Sienna	2010
Toyota	Sienna	2011
Toyota	Solara	2003
Toyota	Solara	2004
Toyota	Tacoma	2005
Toyota	Tacoma	2007
Toyota	Tacoma	2012
Toyota	Tundra	2003
Toyota	Tundra	2004
Toyota	Tundra	2006
Toyota	Tundra	2007
Toyota	Tundra	2008
Toyota	Venza	2008
Toyota	Venza	2009
Toyota	Venza	2010
Toyota	Yaris	2005
Toyota	Yaris	2010
Toyota	Yaris	2011
Toyota	Yaris Hatchback Hybrid	2009

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. For example, a 2007 Acura MDX will receive 100 points and an Acura MDX in model year 2008, 2009, or 2010 will receive 75 points.

Vehicle models identified in the list below purchased from January 1, 1998 to August 5, 2016 will receive 50 points. Class Counsel are working to determine a more precise definition for the models and the model years listed below. If additional information is obtained, this list

may be revised. In addition, with regard to Isuzu Elf Medium Duty Trucks, to the extent any such vehicle was purchased for sale by an automobile dealership, and not a separate truck franchisee associated with an automobile dealership, such trucks purchased between January 1, 1998 and January 31, 2009, will also be assigned 50 points.

Car Make	Car Model	Model Year
Infiniti	EX	
Nissan	Versa	
Subaru		2005
Subaru		2006
Subaru		2007
Subaru		2008
Subaru		2009

Car Make	Car Model	Model Year
Subaru		2010
Subaru		2015
Subaru		2016
Toyota	Corolla	
Toyota		2003
Toyota		2010

Any other models from any of the manufacturers listed in the above two tables, purchased from January 1, 1998 to Aug. 5, 2016 will be assigned 35 points. All other vehicles will be assigned 20 points.