

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

In Re: AUTOMOTIVE PARTS ANTITRUST LITIGATION
In Re: Valve Timing Control Devices
THIS DOCUMENT RELATES TO:  Automobile Dealership Actions

Master File No. 12-md-02311  
Honorable Marianne O. Battani

2:13-cv-02502-MOB-MKM

**PROPOSED / PENDING COURT APPROVAL  
DISTRIBUTION/ALLOCATION PLAN  
VALVE TIMING CONTROL DEVICES SETTLEMENTS**

This distribution/allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Valve Timing Control Devices 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 Valve Timing Control Devices 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 Valve Timing Control Devices 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**;
- Valve Timing Control Devices (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 Valve Timing Control Devices (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 Valve Timing Control Devices 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.

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

Table 1

Car Make	Model	Model Year
Acura	RDX	2007
Acura	RDX	2008
Acura	TSX	2007
Acura	TSX	2008
Audi	A6	2003
Audi	A6	2011
Audi	A7	2011
Audi	A7	2012
Buick	Lucerne	2006
Buick	Rendezvous	2006
Buick	Terraza	2006
Chevrolet	Impala	2006
Chevrolet	Malibu	2006
Chevrolet	Montana	2006
Chevrolet	Monte Carlo	2006
Chevrolet	Uplander	2006
Chrysler	Chrysler 200	2006
Dodge	Journey	2006
Ford	Edge	2007
Ford	Edge	2008
Ford	Edge	2009
Ford	Edge	2010
Ford	Explorer	2011
Ford	Explorer	2012
Ford	Explorer	2013
Ford	Explorer	2014
Ford	Explorer	2015
Ford	Flex	2009
Ford	Flex	2010
Ford	Flex	2011
Ford	Flex	2012
Ford	Focus	2011
Ford	Fusion	2006
Ford	Fusion Sport	2010
Ford	Fusion Sport	2011

Car Make	Model	Model Year
Ford	Fusion Sport	2012
Ford	Taurus	2008
Ford	Taurus	2009
Ford	Taurus	2010
Ford	Taurus	2011
Ford	Taurus	2012
Ford	Taurus	2013
Honda	Accord	2003
Honda	Accord	2005
Honda	Accord	2008
Honda	Accord	2013
Honda	CRV	2011
Honda	CRV	2012
Honda	CRV	2013
Honda	Odyssey	2009
Honda	Odyssey	2013
Hyundai	Sonata	2006
Hyundai	Avante	2011
Hyundai	Azera	2010
Hyundai	Azera	2011
Hyundai	Azera	2012
Hyundai	Azera	2013
Hyundai	Azera	2014
Hyundai	Azera	2015
Hyundai	Elantra	2011
Hyundai	Elantra	2012
Hyundai	Elantra	2013
Hyundai	Elantra	2014
Hyundai	Elantra	2015
Hyundai	Genesis	2012
Hyundai	Genesis	2013
Hyundai	Genesis	2014
Hyundai	Genesis	2015
Hyundai	Santa Fe	2010
Hyundai	Santa Fe	2011

Car Make	Model	Model Year
Hyundai	Santa Fe	2012
Hyundai	Sonata	2010
Hyundai	Sonata	2011
Hyundai	Tucson	2011
Jaguar	S-type	2002
Jaguar	S-type	2003
Jaguar	S-type	2004
Jaguar	S-type	2005
Jaguar	S-type	2006
Jaguar	S-type	2007
Jaguar	S-type	2008
Jaguar	XF	2008
Jaguar	XF	2009
Jaguar	XF	2010
Jaguar	XJ8	2004
Jaguar	XJ8	2005
Jaguar	XJ8	2006
Jaguar	XJ8	2007
Jaguar	XJ8	2008
Jaguar	XJ8	2009
Jaguar	XJ8	2010
Jaguar	XJ8	2011
Jaguar	XJ8	2012
Jaguar	XJ8	2013
Jaguar	XJ8	2014
Jaguar	XJ8	2015
Jaguar	XJ8	2016
Jaguar	XK-series	2003
Jaguar	XK-series	2004
Jaguar	XK-series	2005
Jaguar	XK-series	2006
Jaguar	XK-series	2007
Jaguar	XK-series	2008
Kia	Forte	2009
Kia	Forte	2010
Kia	Forte	2011
Kia	Forte	2012

Car Make	Model	Model Year
Kia	Forte	2013
Kia	Forte	2014
Kia	Optima	2011
Kia	Optima	2012
Kia	Optima	2013
Kia	Optima	2014
Kia	Optima	2015
Kia	Sorento	2006
Kia	Sorento	2011
Kia	Sorento	2012
Kia	Sorento	2013
Kia	Sorento	2014
Kia	Sorento	2015
Kia	Soul	2011
Kia	Soul	2012
Kia	Soul	2013
Kia	Soul	2014
Kia	Soul	2015
Kia	Sportage	2011
Kia	Sportage	2012
Kia	Sportage	2013
Kia	Sportage	2014
Kia	Sportage	2015
Lincoln	MKX	2007
Lincoln	MKX	2008
Lincoln	MKX	2009
Lincoln	MKX	2010
Lincoln	MKZ	2007
Lincoln	MKZ	2008
Lincoln	MKZ	2009
Lincoln	MKZ	2010
Lincoln	MKZ	2011
Lincoln	MKZ	2012
Lincoln	Zephyr	2006
Mazda	2	2011
Mazda	2	2012
Mazda	2	2013

Car Make	Model	Model Year
Mazda	2	2014
Mazda	2	2015
Mazda	3	2006
Mazda	3	2012
Mazda	3	2013
Mazda	4	2013
Mazda	5	2014
Mazda	6	2005
Mazda	6	2006
Mazda	6	2013
Mazda	6	2015
Mazda	CX-9	2007
Mazda	CX-9	2010
Mazda	MX5	2006
Mercury	Milan	2006
Mercury	Sable	2008
Mercury	Sable	2009
Mitsubishi	Endeavor	2002
Mitsubishi	Endeavor	2003
Mitsubishi	Endeavor	2004
Mitsubishi	Endeavor	2005

Car Make	Model	Model Year
Mitsubishi	Endeavor	2006
Mitsubishi	Endeavor	2007
Mitsubishi	Endeavor	2008
Mitsubishi	Endeavor	2009
Mitsubishi	Endeavor	2010
Mitsubishi	Endeavor	2011
Mitsubishi	Galant	2006
Mitsubishi	Lancer	2011
Saturn	Aura	2006
Saturn	Relay	2006
Saturn	Vue	2006
Scion	FRS	2012
Subaru	BRZ	2012
Subaru	Forrester	2012
Subaru	Forrester	2013
Subaru	Impreza	2011
Subaru	Impreza	2013
Subaru	Legacy	2004
Suzuki	Kizashi	2010
Volkswagen	Tiguan	2013

Vehicle models identified in Table 1 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 Table 2 purchased in the year specified, or, if not specified, then 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	Model	Model Year
BMW	3 Series	
Ford		2006
Ford	Taurus	
Hyundai	Tucson	

Car Make	Model	Model Year
Mazda	3	
Mazda		2006
Mazda		2010
Mazda		2011

Car Make	Model	Model Year
Mitsubishi	Eclipse	
Mitsubishi	Galant	
Mitsubishi	Lancer	
Mitsubishi	Montero Sport	
Mitsubishi	Outlander	
Nissan	Versa	
Nissan		2000
Nissan		2001
Nissan		2002
Nissan		2003
Nissan		2004
Nissan		2005

Car Make	Model	Model Year
Nissan		2006
Nissan		2007
Nissan		2008
Nissan		2009
Nissan		2010
Subaru	Legacy	
Subaru		2010
Suzuki	SX or SX4	
Suzuki	Sidekick	
Suzuki	Vitara	
Volvo	S40 / V40	
Volvo	S50 / V50	

Vehicles from manufacturers identified in Table 3 purchased from January 1, 1998 to July 22, 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
Audi
BMW
Chrysler
Ford
Honda

Car Make
Hyundai
Kia
MINI
Mitsubishi
Nissan

Car Make
Scion
Subaru
Suzuki
Volkswagen
Volvo

All other models not identified in the three tables listed above from the listed manufacturers, and models from the manufacturers listed in the third table above, that were purchased from January 1, 1998 to July 22, 2016, will be assigned 35 points.

All other vehicles purchased from January 1, 1998 to July 22, 2016 will be assigned 20 points.