

**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: Automotive Steel Tubes

2:16-cv-04002-MOB-MKM

THIS DOCUMENT RELATES TO:

Dealership Actions

**PROPOSED / PENDING COURT APPROVAL
DISTRIBUTION/ALLOCATION PLAN
AUTOMOTIVE STEEL TUBES SETTLEMENTS**

This distribution/allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the Automotive Steel Tubes 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 Steel Tubes 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 Steel Tubes settlements will be 15% 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 Steel Tubes (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 Steel Tubes (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 Steel Tubes 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 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 models listed 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(s)
Acura	RLX	2013
Acura	RLX	2014
Honda	Accord	2008
Honda	Accord	2009
Honda	Accord	2010
Honda	Accord	2011
Honda	Accord	2012
Honda	Accord	2013
Honda	Civic	2007
Honda	Civic	2011
Honda	Civic Hybrid	2006
Honda	Civic Hybrid	2007
Honda	Civic Hybrid	2008
Honda	Civic Hybrid	2009
Honda	Civic Hybrid	2010
Honda	CR-V	2007
Honda	CR-V	2008
Honda	CR-V	2009
Honda	CR-V	2010
Honda	CR-V	2011
Honda	CR-V	2012
Honda	CR-V	2013
Honda	CR-V	2014
Honda	CR-V	2015
Honda	CR-V	2016
Honda	Fit	2014
Honda	Insight	2009
Honda	Insight	2010
Honda	Insight	2011
Honda	Insight	2012
Honda	Insight	2013
Honda	Insight	2014
Honda	Odyssey	2005
Honda	Odyssey	2006
Infiniti	EX	2009
Infiniti	EX	2010

Car Make	Car Model	Model Year(s)
Infiniti	EX	2011
Infiniti	EX	2012
Infiniti	EX	2013
Infiniti	EX	2014
Infiniti	EX	2015
Infiniti	EX	2016
Infiniti	FX	2008
Infiniti	G35	2007
Infiniti	G35	2009
Infiniti	G35	2014
Infiniti	G35 Coupe	2008
Infiniti	G35 Coupe	2009
Infiniti	G35 Coupe	2010
Infiniti	G35 Coupe	2011
Infiniti	G35 Coupe	2012
Infiniti	G35 Coupe	2013
Infiniti	G35 Coupe	2014
Infiniti	G35 Coupe	2015
Infiniti	M	2010
Infiniti	QX	2013
Infiniti	QX	2014
Infiniti	QX	2015
Infiniti	QX	2016
Infiniti	QX56	2010
Lexus	ES	2006
Lexus	RX	2006
Mazda	CX5	2011
Mazda	CX5	2012
Mazda	CX5	2013
Mazda	CX5	2014
Mazda	CX5	2015
Mazda	CX5	2016
Mazda	CX5	2017
Mazda	Mazda3	2006
Mazda	Mazda3	2008
Mazda	Mazda3	2009

Car Make	Car Model	Model Year(s)
Mazda	Mazda3	2010
Mazda	Mazda3	2011
Mazda	Mazda3	2012
Mazda	Mazda3	2013
Mazda	Mazda5	2009
Mazda	Mazda5	2010
Mazda	Mazda5	2011
Mazda	Mazda5	2012
Mazda	Mazda5	2013
Mazda	Mazda5	2014
Mazda	Mazda5	2015
Mazda	Mazda5	2016
Mazda	Mazda5	2017
Mazda	Mazda6	2012
Mitsubishi	Galant	2004
Mitsubishi	Galant	2005
Mitsubishi	Galant	2006
Mitsubishi	Galant	2007
Mitsubishi	Galant	2008
Mitsubishi	Galant	2009
Mitsubishi	Galant	2010
Mitsubishi	Galant	2011
Mitsubishi	Galant	2012
Mitsubishi	Galant	2013
Mitsubishi	Galant	2014
Nissan	350Z	2008
Nissan	Cube	2009
Nissan	GT-R	2008
Nissan	Juke	2010
Nissan	Murano	2008
Nissan	Murano	2009
Nissan	Murano	2010
Nissan	Murano	2011
Nissan	Murano	2012
Nissan	Murano	2013
Nissan	Murano	2014
Nissan	Murano	2015

Car Make	Car Model	Model Year(s)
Nissan	Quest	2010
Nissan	Rogue	2007
Nissan	Rogue	2008
Nissan	Rogue	2009
Nissan	Rogue	2010
Nissan	Rogue	2011
Nissan	Rogue	2012
Nissan	Rogue	2013
Scion	FR-S	2012
Scion	tC	2009
Scion	tC	2011
Scion	tC	2012
Scion	tC	2013
Scion	tC	2014
Scion	tC	2015
Scion	tC	2016
Subaru	BR-Z	2012
Subaru	Forester	2004
Subaru	Forester	2005
Subaru	Forester	2006
Subaru	Forester	2007
Subaru	Forester	2008
Subaru	Forester	2009
Subaru	Forester	2010
Subaru	Forester	2011
Subaru	Forester	2012
Subaru	Forester	2013
Subaru	Forester	2014
Subaru	Forester	2015
Subaru	Forester	2016
Subaru	Forester	2017
Subaru	Impreza	2004
Subaru	Impreza	2005
Subaru	Impreza	2006
Subaru	Impreza	2007
Subaru	Impreza	2008
Subaru	Impreza	2009
Subaru	Impreza	2010

Car Make	Car Model	Model Year(s)
Subaru	Impreza	2011
Subaru	Impreza	2012
Subaru	Impreza	2013
Subaru	Impreza	2014
Subaru	Impreza	2015
Subaru	Impreza	2016
Subaru	Impreza	2017
Subaru	Legacy	2008
Subaru	Legacy	2009
Subaru	Legacy	2010
Subaru	Legacy	2011
Subaru	Legacy	2012
Subaru	Legacy	2013
Subaru	Legacy	2014
Subaru	Legacy	2009
Subaru	Legacy	2011
Subaru	Legacy	2012
Subaru	Legacy	2013
Subaru	Legacy	2014
Suzuki	Grand Vitara	2009
Suzuki	Grand Vitara	2010
Suzuki	Grand Vitara	2011
Suzuki	Grand Vitara	2012
Suzuki	Grand Vitara	2013
Suzuki	Grand Vitara	2014
Suzuki	Grand Vitara	2015
Suzuki	Kizashi	2010
Suzuki	Kizashi	2011
Suzuki	Kizashi	2012
Suzuki	Kizashi	2013
Suzuki	Kizashi	2014
Suzuki	Kizashi	2015
Suzuki	Swift	2004
Suzuki	SX4	2007
Suzuki	SX4	2008
Suzuki	SX4	2009
Suzuki	SX4	2010

Car Make	Car Model	Model Year(s)
Suzuki	SX4	2011
Suzuki	SX4	2012
Suzuki	SX4	2013
Suzuki	SX4	2014
Suzuki	Vitara	2004
Toyota	Camry	2006
Toyota	Camry	2007
Toyota	Camry	2008
Toyota	Camry	2009
Toyota	Camry	2010
Toyota	Camry	2012
Toyota	Corolla	2005
Toyota	Corolla	2006
Toyota	Corolla	2007
Toyota	Corolla	2008
Toyota	Corolla	2009
Toyota	Corolla	2010
Toyota	Corolla	2011
Toyota	Corolla	2012
Toyota	Corolla	2013
Toyota	Corolla	2014
Toyota	Highlander	2009
Toyota	Prius	2007
Toyota	Prius	2008
Toyota	Prius	2009
Toyota	Prius	2010
Toyota	Prius	2011
Toyota	Prius	2012
Toyota	Prius	2013
Toyota	Prius	2014
Toyota	Prius	2015
Toyota	RAV4	2006
Toyota	RAV4	2009
Toyota	Venza	2009
Toyota	Yaris	2007
Toyota	Yaris	2008
Toyota	Yaris	2011

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 a model year is not specified, then from December 1, 2003 to April 10, 2019, 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(s)
Infiniti	G35	
Infiniti	M	
Infiniti	QX70	
Mazda	Mazda3	
Mazda	Mazda6	
Mitsubishi	Lancer	
Mitsubishi	Outlander	
Mitsubishi	Outlander Sport	
Nissan		2006
Nissan		2009

Car Make	Car Model	Model Year(s)
Nissan		2012
Subaru		2005
Subaru		2006
Subaru		2007
Subaru		2008
Subaru		2009
Subaru		2010
Subaru		2011
Toyota	Corolla	
Toyota		2008
Toyota		2015

Vehicles from manufacturers identified in Table 3 purchased from December 1, 2003 to April 10, 2019, 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
Honda
Mazda
Nissan

Car Make
Subaru
Suzuki
Toyota

All other models not identified in the three tables listed above from the listed manufacturers that were purchased from December 1, 2003 to April 10, 2019, will be assigned 35 points.

All other vehicles purchased from December 1, 2003 to April 10, 2019, will be assigned 20 points.