

**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: BEARINGS	2:12-cv-00502-MOB-MKM
THIS DOCUMENT RELATES TO:  ALL AUTOMOBILE DEALER ACTIONS	

**PROPOSED / PENDING COURT APPROVAL  
DISTRIBUTION/ALLOCATION PLAN  
BEARINGS SETTLEMENT**

This distribution / allocation plan (“Allocation Plan”) will be applied to the automobile dealership settlements in the 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 Bearings 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 Bearings Settlement 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**;
- Bearings (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 Bearings (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 Bearings 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. 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
BMW	3 Series	2012
Ford	Fiesta	2004
Ford	Fiesta	2005
Ford	Fiesta	2006
Ford	Focus	2004
Ford	Focus	2005
Ford	Focus	2006
Honda	Civic	2011
Honda	CR-V	2007
Honda	CR-V	2011
Honda	CR-V	2012
Honda	Fit	2008
Honda	Fit	2014
Infiniti	QX60	2012
Lexus	GS	2012
Lexus	IS	2012
Lexus	LS	2012
Lexus	RX330	2009
Lexus	RX350	2009
Mazda	3	2011
Nissan	Altima	2012
Nissan	Cube	2009
Nissan	Juke	2009

Car Make	Car Model	Model Year
Nissan	Leaf	2012
Nissan	Maxima	2008
Nissan	Murano	2007
Nissan	Pathfinder	2012
Nissan	Quest	2010
Nissan	Rogue	2008
Nissan	Sentra	2007
Nissan	Sentra	2011
Nissan	Versa	2007
Nissan	Versa	2009
Nissan	Versa	2011
Nissan	Versa	2012
Pontiac	Vibe	2008
Subaru	Forester	2008
Subaru	Forester	2009
Subaru	Legacy	2008
Subaru	Legacy	2009
Suzuki	Swift	2010
Toyota	Avalon	2004
Toyota	Camry	2006
Toyota	Camry	2011
Toyota	Corolla	2007
Toyota	Corolla	2008

Car Make	Car Model	Model Year
Toyota	Corolla	2013
Toyota	Highlander	2009
Toyota	Highlander	2013
Toyota	Matrix	2007
Toyota	Matrix	2008
Toyota	Prius	2008
Toyota	Prius	2009
Toyota	RAV4	2008
Toyota	RAV4	2012
Toyota	RAV5	2013

Car Make	Car Model	Model Year
Toyota	Sequoia	2005
Toyota	Sequoia	2007
Toyota	Sienna	2003
Toyota	Sienna	2004
Toyota	Sienna	2010
Toyota	Tacoma	2004
Toyota	Tundra	2006
Toyota	Tundra	2007
Toyota	Venza	2008
Toyota	Venza	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.

Vehicle models identified in the list below purchased from January 1, 2000 to August 12, 2019 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.

Car Make	Car Model
BMW	5 Series
BMW	6 Series
BMW	7 Series
Honda	Civic
Honda	CR-V
Honda	Fit
Lexus	LS
Lexus	RX
Mercedes-Benz	G Class

Car Make	Car Model
Mercedes-Benz	GL Class
Mercedes-Benz	M Class
Mercedes-Benz	ML Class
Mercedes-Benz	R Class
Nissan	Cube
Nissan	Juke
Nissan	Leaf

Car Make	Car Model
Nissan	NV200
Nissan	Sentra
Nissan	Versa
Toyota	Camry
Toyota	Corolla
Toyota	Land Cruiser
Toyota	Prius
Toyota	Tacoma
Toyota	Tundra
Volkswagen	Golf

Any other models from the manufacturers listed in the two charts above, or from Audi, FIAT, MINI, Mitsubishi, and Volvo that were purchased from January 1, 2000 to August 12, 2019, will be assigned 35 points. All other vehicles purchased from January 1, 2000 to August 12, 2019 will be assigned 20 points.