

## Landmark \$14.7 Billion Settlement Reached in Volkswagen Diesel Emissions Case

Plaintiffs received approval of a \$14.7 billion dollar settlement on behalf of eligible owners of Volkswagen and Audi 2.0-liter TDI cars, which, unbeknownst to consumers, contained emission systems created to avoid regulator detection and defraud customers who believed they were buying "clean diesel" vehicles.

BFA partner Lesley Weaver serves on the Plaintiffs' Steering Committee, appointed by Judge Charles Breyer of the Northern District of California and described as the "dream team" prosecuting this high-profile emissions scandal.

The case involves claims against Volkswagen, Audi and Porsche in connection with the widely-reported news that the companies had installed defeat devices in their "clean diesel" engines. VW admitted that it installed these defeat devices, which eliminated the emissions reduction during normal driving, and only allowed for reduced fuel emissions when the automobiles were being tested.

In accordance with the consent decree, \$2.7 billion of the settlement will be allocated to projects to reduce nitrogen oxides emissions, with a focus on improving air quality in areas that "bear a disproportionate share of the air pollution burden within their jurisdiction." As the Justice Department's top environmental attorney John Cruden has highlighted, this focus on remediation in low income and minority communities is "unique," and a significant response to the disproportionate pollution burden felt by these communities.

The settlement is the largest consumer class action in US history related to automobiles, and Volkswagen will begin processing claims from eligible consumers seeking a buyback immediately. Consumers who owned or leased a Volkswagen or Audi 2.0-liter TDI car as of September 18, 2015 should reviewed the settlement terms, available at <http://www.vwcourtsettlement.com>, and may pursue buyback compensation now or wait to learn whether a modification will be made available in the future. In accordance with the settlement, VW must offer a fix within a 12-month schedule approved by the Court and Environmental Protection Agency, or buyback the eligible vehicles.