

## Diesel Drivers Tell Court Their Case Against Fiat and Bosch Should Proceed

The drivers suing Fiat Chrysler and Bosch in multidistrict litigation before Judge Chen in the Northern District of California presented their legal arguments behind their allegations that they suffered economic losses when they purchased or leased vehicles that deliberately cheated on emissions testing in 2014, 2015, and 2016. The drivers assert that their case should proceed past the motion to dismiss.

Contesting defendants' arguments that the drivers' claims are potential violations of environmental regulations, rather than recoverable concrete damages, the drivers argue that they were injured when they spent money on "clean diesel" vehicles that might not have been on the market but for software that allegedly allowed the vehicles to pass emissions tests.

In response to Defendants' arguments that their alleged false statements were made to regulators, rather than to consumers directly, the drivers, relying on the Supreme Court decision in *Bridge v. Phoenix Bond & Indemnity Co.*, assert that their claims for violations of the federal Racketeer Influenced and Corrupt Organizations Act do not require first-person reliance.

BFA Partner Lesley Weaver, a member of the Plaintiffs' Steering Committee, says "Fiat and Bosch deliberately cheated on emission testing for automobiles manufactured over a three-year time period, and we will continue to litigate and obtain compensation for the damages suffered by thousands of drivers who purchased those automobiles."