

1 **KERSHAW, COOK & TALLEY PC**
2 William A. Kershaw (State Bar No. 057486)
3 Stuart C. Talley (State Bar No. 180374)
4 Ian J. Barlow (State Bar No. 262213)
5 401 Watt Avenue
6 Sacramento, California 95864
7 Telephone: (916) 779-7000
8 Facsimile: (916) 721-2501
9 Email: bill@kctllegal.com
10 Email: stuart@kctllegal.com
11 Email: ian@kctllegal.com

12 Attorneys for Plaintiff and the Class
13 Additional counsel listed on signature page

14 **DYKEMA GOSSETT LLP**
15 James P. Feeney (State Bar No. 219045)
16 Fred J. Fresard (*Pro Hac Vice*)
17 Krista L. Lenart (*Pro Hac Vice*)
18 333 South Grand Ave., Suite 2100
19 Los Angeles, California 90071
20 Telephone: (213) 457-1800
21 Facsimile: (213) 457-1850
22 Email: jfeeney@dykema.com
23 Email: ffresard@dykema.com
24 Email: klenart@dykema.com

25 Attorneys for Defendant
26 FCA US LLC f/k/a Chrysler Group LLC

27 **UNITED STATES DISTRICT COURT**
28 **EASTERN DISTRICT OF CALIFORNIA**

SHAWN ALGER as an individual and on
behalf of all others similarly situated,

Plaintiff,

v.

FCA US LLC f/k/a CHRYSLER GROUP
LLC, a Delaware Corporation, and DOES 1
through 100, inclusive,

Defendants.

Case No.: 2:18-cv-00360-MCE-EFB

**JOINT STIPULATION AND ORDER
MODIFYING CLASS DEFINITION**

Assigned to Hon. Morrison C. England, Jr.
Courtroom 7, 14th Floor
Complaint Filed: February 16, 2018

1 Plaintiff Shawn Alger (“Plaintiff”) and Defendant FCA US LLC f/k/a Chrysler Group LLC
2 (“Defendant”) (together, the “Parties”), by and through their respective counsel, hereby stipulate
3 as follows:

4 **STIPULATION**

5 1. On February 18, 2020, the Court certified the following Class under Rule 23(b)(3),
6 excluding any personal injury claims or damages:

7 All persons in California who currently own or lease, or who have
8 owned or leased, any Class Vehicle manufactured by Chrysler or any
9 of its subsidiaries or affiliates that is equipped with an Automatic
Head Restraint (“AHR”) system.

10 Dkt. No. 141 at 3, 20.

11 2. The Court also certified a California CLRA Subclass consisting of all members of
12 the Class who are “consumers” within the meaning of California Civ. Code § 1761(d). *Id.* at 20.

13 3. The Court’s order identified 55 Chrysler make and model years that constitute the
14 Class Vehicles. *Id.* at 20.

15 4. The parties have conferred and agreed that an additional 23 Chrysler make and
16 model years are equipped with AHR Systems and so fit the Class definition. The full list of Class
17 Vehicles is:

18 2010-2018 Dodge Journey
19 2010-2011 Dodge Nitro
20 2010-2012 Jeep Liberty
21 2010-2017 Jeep Patriot or Compass
22 2010-2012 Dodge Caliber
23 2010-2018 Dodge Caravan
24 2010-2018 Town & Country
25 2011-2018 Dodge Durango
26 2011-2018 Jeep Grand Cherokee
27 2010-2014 Sebring/Avenger
28 2010-2014 Chrysler 200

26 The parties therefore stipulate that the Court’s order certifying a class should be modified to
27 identify all of the above make and model years as Class Vehicles. The parties further stipulate

1 that the proposed modification of the order does not trigger any right to petition for interlocutory
2 appeal under Federal Rule of Civil Procedure 23(f).

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Dated: May 15, 2020.

Respectfully submitted,

KERSHAW, COOK & TALLEY PC

By: /s/ Stuart C. Talley
STUART C. TALLEY
WILLIAM A. KERSHAW
IAN J. BARLOW
401 Watt Avenue
Sacramento, California 95864
Telephone: (916) 779-7000
Facsimile: (916) 721-2501
Email: bill@kctlegal.com
Email: stuart@kctlegal.com
Email: ian@kctlegal.com

MARK P. CHALOS (*Pro Hac Vice*)
KENNETH S. BYRD (*Pro Hac Vice*)
MADELINE M. GOMEZ (*Pro Hac Vice*)
LIEFF CABRASER HEIMANN &
BERNSTEIN, LLP
222 Second Avenue South, Suite 1640
Nashville, Tennessee 37201
Telephone: (615) 313-9000
Facsimile: (615) 313-9965
Email: mchalos@lchb.com
Email: kbyrd@lchb.com
Email: mgomez@lchb.com

Attorneys for Plaintiff and the Class

Dated: May 15, 2020.

DYKEMA GOSSETT LLP

By: /s/ Krista L. Lenart
KRISTA L. LENART
JAMES P. FEENEY
FRED J. FRESARD

Attorneys for Defendant
FCA US LLC f/k/a/ Chrysler Group LLC

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ORDER

Pursuant to stipulation, IT IS ORDERED that Paragraph 2 of the Conclusion of the Court’s Order Granting Plaintiff’s Motion for Class Certification and Appointment of Class Representative and Class Counsel (Dkt. No. 141) is modified to state:

2. The Court designates as Class Vehicles the following model and year FCA/Chrysler vehicles: 2010-2018 Dodge Journey; 2010-2011 Dodge Nitro; 2010-2012 Jeep Liberty; 2010-2017 Jeep Patriot or Compass; 2010-2012 Dodge Caliber; 2010-2018 Dodge Caravan; 2010-2018 Town & Country; 2011-2018 Dodge Durango; 2011-2018 Jeep Grand Cherokee; 2010-2014 Sebring/Avenger; and 2010-2014 Chrysler 200.

This Order does not trigger any right to petition for permission to appeal under Federal Rule of Civil Procedure 23(f).

IT IS SO ORDERED.

Dated: May 21, 2020


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE