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21 *Class Counsel*

22 UNITED STATES DISTRICT COURT
23 NORTHERN DISTRICT OF CALIFORNIA
24 SAN FRANCISCO DIVISION

25 IN RE
26 MYFORD TOUCH CONSUMER
27 LITIGATION

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Case No. 3:13-cv-03072-EMC

**~~PROPOSED~~ ORDER APPROVING
PROTOCOL FOR DISSEMINATING
NOTIFICATION TO THE CERTIFIED
CLASSES, AND APPOINTING JND
LEGAL ADMINISTRATION AS THE
NOTICE ADMINISTRATOR**

Judge: Hon. Edward M. Chen

~~PROPOSED~~ ORDER APPROVING PROTOCOL FOR
DISSEMINATING NOTIFICATION TO THE CERTIFIED
CLASSES, AND APPOINTING JND LEGAL
ADMINISTRATION AS THE NOTICE ADMINISTRATOR
Case No. 3:13-cv-03072-EMC

1 Plaintiffs, after having conferred with counsel for Defendant Ford Motor Company
2 (“Defendant”) and with the proposed notice administrator, JND Legal Administration (“JND”),
3 hereby submit the following notice protocol for approval by the Court:

4 1. Plaintiffs will obtain, from two databases previously provided by Ford in discovery, a
5 total of 1,342,092 VIN numbers for class vehicles purchased or leased in the United States (the “VIN
6 List”). The Plaintiffs, through the notice administrator, will run the VIN List through the
7 Departments of Motor Vehicles (“DMV”) in each of the eight class states to identify all original and
8 subsequent lessees/purchasers in those states.

9 2. Plaintiffs will give the VIN List to the notice administrator, who will work with the
10 relevant DMVs to cross check those 1,342,092 VINs for all original and subsequent vehicle
11 transactions made in each of the eight class states before August 9, 2013. This Court entered an order
12 on September 14, 2017 authorizing the notice administrator to receive this information back from the
13 DMVs for the purpose of effectuating notice. *See* Dkt. 332.

14 3. Before mailing the postcard notice, the notice administrator will first update the
15 addresses it receives from the DMVs by running them through a national change of address database.
16 It will then mail the Court-approved postcard notice to all of these addresses.

17 4. The notice administrator will also provide the information it receives back from the
18 state DMVs to Ford so that it can provide any e-mail addresses it has that are associated with those
19 purchasers/lessees. Any such e-mail addresses will then be provided by Ford to JND, which will
20 send the Court-approved e-mail notice to these addresses.

21 5. The notice administrator will establish and maintain a dedicated website that will
22 contain the information in the Long Form Notice that was approved by the Court. *See* Dkt. 330.

23 6. Any timely submitted opt-out or exclusion forms will be collected by the notice
24 administrator. Shortly after the deadline for opt-outs (January 29, 2018), the notice administrator will
25 file a declaration with the Court confirming that the above steps were undertaken, and identifying
26 any class members who timely elect to exclude themselves.

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Class Counsel

1 DATED: October 13, 2017

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23 **FORD MOTOR COMPANY**

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26
27 ~~PROPOSED~~ ORDER APPROVING PROTOCOL FOR
28 DISSEMINATING NOTIFICATION TO THE CERTIFIED
CLASSES, AND APPOINTING JND LEGAL
ADMINISTRATION AS THE NOTICE ADMINISTRATOR
Case No. 3:13-cv-03072-EMC

1 **ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)**

2 I hereby certify that on October 13, 2017, I electronically filed the foregoing document using
3 the CM/ECF system which will send notification of such filing to the email addresses registered in
4 the CM/ECF system.
5

6 DATED: October 13, 2017

CHIMICLES & TIKELLIS LLP

7 By: /s/ Benjamin F. Johns
8 BENJAMIN F. JOHNS

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1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that a true and accurate copy of the foregoing was filed
3 electronically via the Court's ECF system, on October 13, 2017. Notice of electronic filing will be
4 sent to all parties by operation of the Court's electronic filing system.

5 DATED: October 13, 2017

CHIMICLES & TIKELLIS LLP

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7 BENJAMIN F. JOHNS

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