

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

RAMTIN ZAKIKHANI, et al.,

Plaintiffs,

v.

HYUNDAI MOTOR COMPANY, et
al.,

Defendants.

Case No. 8:20-cv-01584-SB-JDE

ORDER RE: PRELIMINARY
SETTLEMENT

Plaintiffs moved for preliminary approval of their class action settlement with Defendants under Fed. R. Civ. P. [23](#). Having considered the terms of the parties' class action settlement agreement, Dkt. No. [115-1](#), the Court is concerned that the relief provided to the class is not set forth clearly, though it appears that the parties are in agreement about the scope of relief. Plaintiffs are directed to submit no later than October 17, 2022 an Amended Settlement Agreement, along with a blackline against the Agreement that was filed at Dkt. No. [115-1](#), that clarifies the following (as discussed at the hearing):

- The Class Members are not releasing any claims that might arise out of a future NHTSA recall relating to a "Qualifying Repair" of a "Qualifying Defect" in Class Vehicles;
- The relief Class Members will receive under § 2.4 of the Settlement Agreement if a Class Member suffers a partial loss of a Class Vehicle due to a fire caused by a Qualifying Defect; and
- The value Class Members themselves will receive under § 2.4 of the Settlement Agreement if a Class Member leased a Class Vehicle.

The parties are also directed to examine Plaintiffs' proposed Long Form Notice (Ex. C to the Settlement Agreement), which indicates to Class Members that "[t]he amount of compensation will be based on the maximum Kelly Blue Book value of the vehicle" *Id.* at 83. The Claim Form also refers to the "Kelly Blue Book." *Id.* at 67 (Ex. A to the Agreement). The corresponding provision of the Settlement Agreement (§ 2.4) indicates that compensation will be based on the maximum Black Book value. Plaintiffs are directed to file any Amended Exhibits along with blacklines against the Exhibits previously filed no later than October 17, 2022.


Plaintiffs are Ordered to provide no later than October 17, 2022 an updated schedule of key dates and milestones through Final Approval, including the following:

- Date for Commencement of Notice ("Notice Date")
- Deadline for Plaintiffs' Motion and Memorandum in Support of Final Approval
- Deadline to file Motion for Attorneys' Fees and Service Award
- Opt-Out and Objection Deadline
- Deadline for Plaintiffs' Response to Any Objections
- Fairness Hearing

Finally, Defendants are Ordered to submit the noticing addresses for the Settlement Administrators no later than October 17, 2022.

IT IS SO ORDERED.

Date: October 3, 2022



Stanley Blumenfeld, Jr.
United States District Judge