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May 17, 2017

VIA CM/ECF

The Honorable Jesse M. Furman
United States District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: *In re General Motors LLC Ignition Switch Litigation*, 14-MD-2543 (JMF)

Dear Judge Furman:

Co-Lead Counsel submits this joint letter on behalf of Plaintiff Dennis R. Ward and New GM regarding the impact of MDL Order No. 125 [Regarding the Application of Certain Pretrial Orders in MDL Bellwether Trial Nos. 1, 2, and 5 to MDL Bellwether Trial No. 7 (*Ward*)] (Docket No. 3972) on New GM's Motion *in Limine* No. 34: to Exclude Certain Conduct Evidence from Trial (Docket Nos. 3930, 3931), as well as to update the Court on the parties' resolution of Plaintiff's Motion *in Limine* No. 5: to Exclude Evidence or Argument Regarding Unrelated Civil Litigation.

1. New GM's Motion *in Limine* No. 34

On May 2, 2017, the parties submitted their proposals regarding the applicability of certain pretrial orders from Bellwether Trial Nos. 1, 2, and 5 to Bellwether Trial No. 7. In that submission, the parties set forth their disputes about the applicability of the Court's Bellwether Trial No. 1 rulings regarding the admissibility of the Deferred Prosecution Agreement, the NHTSA Consent Order, the Valukas Report, and NHTSA *Path Forward* and *Workforce Assessment* Reports to Bellwether Trial No. 7. New GM sought leave to file a motion *in limine* to exclude this evidence from *Ward* and filed that motion—New GM's Motion *in Limine* No. 34—on May 3, 2017. On May 15, 2017, the Court issued MDL Order No. 125. The Court ruled that its prior *in limine* rulings regarding this evidence (*Scheuer* Plaintiff's Motion *in Limine* No. 5 and New GM's Motion *in Limine* Nos. 1, 12, 15) applied to *Ward* and that additional briefing on these motions was therefore unnecessary. The Court directed the parties to follow the procedures set forth in, among other things, MDL Order No. 120, for identifying any disputes with respect to the admission of specific portions of these materials. *See* MDL Order No. 125 at 4, 8, 12, 13-14.

In light of MDL Order No. 125, the parties agree that further briefing in response to New GM's Motion *in Limine* No. 34 is unnecessary. Accordingly, the parties agree that Plaintiff does not need to file a brief opposing New GM's Motion *in Limine* No. 34, which would otherwise be due today. Plaintiff and New GM reserve the right to make any specific arguments and objections regarding the admissibility of this evidence (including the arguments raised in New GM's Motion *in Limine* No. 34) pursuant to the Court's procedures (including the procedure established by MDL Order No. 120) closer to trial.

2. Plaintiff's Motion *in Limine* No. 5

On May 4, 2017, Plaintiff filed his Motion *in Limine* No. 5, seeking to exclude from trial evidence of a lawsuit filed in Cochise County Superior Court in 1993. Plaintiff and New GM have agreed to a stipulation that resolves the issues raised in that motion. Accordingly, the parties agree that New GM does not need to file a brief opposing plaintiff's Motion *in Limine* No. 5, which would otherwise be due today.

Respectfully,

/s/

Robert C. Hilliard

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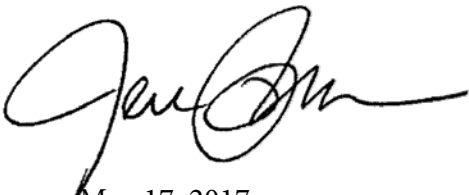
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Co-Lead Counsel for MDL plaintiffs with primary responsibility for wrongful death and personal injury cases

SO ORDERED.

The Clerk of Court is directed to terminate 14-MD-2543, Docket Nos. 3930 and 3944, and 14-CV-8317, Docket Nos. 226 and 240.



May 17, 2017