



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

This Document Relates To All Actions
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14-MD-2543 (JMF)
14-MC-2543 (JMF)

ORDER NO. 81

JESSE M. FURMAN, United States District Judge:

[Regarding Amendment of Certain Personal Injury/Wrongful Death Complaints]

In the last week, several Plaintiffs have filed motions for leave to amend their complaints alleging personal injury or wrongful death claims to comply with rulings of the Bankruptcy Court. (See, e.g., 14-MD-2543, Docket No. 1376; 15-CV-4768, Docket No. 37). In order to streamline the amendment process without conflicting with the procedures that have been established by the Bankruptcy Court to adjudicate whether pleadings are consistent with its prior rulings, the parties shall — unless and until the Court orders otherwise — adhere to the following procedures for any such motion to amend. (The parties are invited to confer and propose modifications to these procedures if they believe there is a preferable way to proceed.)

1. Any Plaintiff moving for leave to file an amended complaint shall file the motion on **both** the MDL docket and the docket of the individual member case and, for ease of review, shall **attach as an exhibit** to that motion a redline indicating all changes between the current complaint and the proposed amended complaint. Any filings relating to the motion, including but not limited to the letters required by this Order, shall also be filed on both the MDL docket and the docket of the individual member case.

2. Within **one week** of any such motion (or one week from the date of this Order with respect to motions already filed), New GM shall file a letter stating whether: (a) it consents to the motion without reservation; (b) it consents to the motion, with a reservation of rights to litigate any

issues (to be identified with particularity) before the Bankruptcy Court; (c) it believes that the motion should be stayed pending adjudication of issues (to be identified with particularity) before the Bankruptcy Court; or (d) it opposes the motion.

3. Should New GM choose options (b) or (c), the relevant Plaintiff(s) may, **within two days** of New GM's letter, file a letter in response.

4. Should New GM choose option (c), it shall — unless the Court orders otherwise — file a letter **within one week** of the Bankruptcy Court's resolution of the relevant issue(s) advising this Court of that resolution and proposing how to proceed. The relevant Plaintiff(s) may, **within two days** of New GM's letter, file a letter in response.

5. Should New GM choose option (d), then its opposition to the motion to amend shall be filed within **two weeks** of when the motion for leave to amend was filed (or two weeks from the date of this Order with respect to motions already filed). Any reply shall be filed within **one week** thereafter.

6. Plaintiffs in member cases *Hoskins*, 15-CV-0409; *Dowling*, 15-CV-2033; *Smith*, 15-CV-2493; *Leloneck*, 15-CV-3641; *Fobbs*, 15-CV-4182; *Rowe*, 15-CV-4768; *Modeste*, 15-CV-5995; *Keeler*, 15-CV-6233; *Brown*, 15-CV-6452; and *Gregory*, 15-CV-6591 shall file or refile, as appropriate, their motions to amend on the MDL docket, 14-MD-2543, in accordance with the procedures set forth above (among other things, including a redline indicating all changes between the current complaint and the proposed amended complaint), by **September 30, 2015**.

SO ORDERED.

Dated: September 24, 2015
New York, New York



JESSE M. FURMAN
United States District Judge