

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----x
IN RE:

GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 11/27/2017

This Document Relates To:

Abney et al v. General Motors, LLC, 14-cv-5810;
Edwards, et al. v. General Motors, LLC, 14-cv-6924;
Fleck, et al. v. General Motors, LLC, 14-cv-8176;
Yohe v. General Motors, LLC, 14-cv-9864;
Ewing v. General Motors, LLC, 14-cv-9965;
Hayes, et al. v. General Motors, LLC, 14-cv-10023;
Bendermon et al v. General Motors, LLC, 15-cv-1354;
Morgan et al v. General Motors, LLC, 15-cv-2844;
Altebaumer et al v. General Motors, LLC, 15-cv-4142;
Adams et al v. General Motors, LLC, 15-cv-5528;
Blood v. General Motors, LLC, 15-cv-6578

14-MD-2543 (JMF)
14-MC-2543 (JMF)

ORDER NO. 137

-----x
JESSE M. FURMAN, United States District Judge:

[Regarding Withdrawal of Representation by Hilliard Martinez Gonzales, Thomas J. Henry Injury Attorneys, and Matthews & Associates as to Certain Plaintiffs]

On October 18, 2017, Hilliard Martinez Gonzales, Thomas J. Henry Injury Attorneys, and Matthews & Associates (the “Firms”) filed a Motion to Withdraw from representing 246 Plaintiffs. (MDL Docket No. 4712). Only five of the 246 Plaintiffs filed oppositions to the motion, three of which were docketed on the relevant member case docket (*see* 2:14-cv-2458, Docket Nos. 223, 224, 225), one of which was received by e-mail from counsel, and one of which was received by mail. (MDL Docket No. 4791). On November 16, 2017, the Firms withdrew their motion as to one of those five Plaintiffs: Richard Korona. (15-cv-5528, Docket No. 14). The remaining 245 Plaintiffs (the “Affected Plaintiffs”) are listed on Exhibit A hereto.

On November 2, 2017, New GM requested an order directing the Affected Plaintiffs to file severed and amended complaints within ninety (90) days or face dismissal with prejudice. (MDL Docket No. 4789). On November 3, 2017, the Court indicated its inclination to issue an order along the lines of what New GM proposed, but directed New GM and the Firms to submit a revised proposed order that includes a multi-stage dismissal process, including both dismissal-without-prejudice and dismissal-with-prejudice. (Docket No. 4790).

Upon consideration of the Firms' motion and the agreed-upon revised proposed order, and for good cause shown, it is hereby ORDERED that:

1. The Firms' Motion is hereby GRANTED, substantially for the reasons set forth in their memoranda of law and supporting declarations (some of which were filed under seal because they reveal confidential attorney-client communications and strategy). (*See, e.g.*, MDL Docket Nos. 4713, 4799). The Firms are authorized to withdraw as co-counsel as to the Affected Plaintiffs.

2. As a condition of withdrawal, the Firms shall, **no later than December 4, 2017**, serve upon each of the Affected Plaintiffs (1) a copy of the "Notice to Certain Plaintiffs in General Motors Ignition Switch Litigation" attached hereto as Exhibit B; (2) a copy of this Order; and (3) a copy of this Court's Individual Rules and Practices for *Pro Se* Cases, which is attached to this Order as Exhibit C. The Order and the Court's Individual Rules should be attached to the "Notice to Certain Plaintiffs in General Motors Ignition Switch Litigation" such that the "Notice" is the first page of the materials enclosed. The Firms shall file proof of such service **no later than December 6, 2017**. Additionally, within ten (10) days of entry of this Order the Firms shall file with the Court (on the 14-MD-2543 Docket) a single document identifying (1) the current service address, including email address where available, for each of the Affected Plaintiffs; and (2) any Affected Plaintiff who remains represented by other counsel and the contact information for such

counsel. The Firms shall submit a copy of the document, in Microsoft Word or Microsoft Excel format, to the Court by e-mail on the same date.

3. Each of the Affected Plaintiffs is hereby ordered to file, **in the form of a new lawsuit**, an amended and severed complaint in the United States District Court for the Southern District of New York within ninety (90) days — that is, **by February 26, 2018** — and to pay any filing fee associated with filing a complaint pursuant to 28 U.S.C. § 1914(a). In conjunction with any amended and severed complaint, an Affected Plaintiff shall also file a Related Case Statement, available at www.nysd.uscourts.gov/forms.php, identifying the new lawsuit as related to these proceedings (*In General Motors Ignition Switch Litigation*, 14-MD-2543 (JMF)). As another federal court has explained:

In multidistrict cases considering severance of cases, courts have noted that the filing fee has two salutary purposes. First, it is a revenue raising measure. Second, § 1914(a) acts as a threshold barrier, albeit a modest one, against the filing of frivolous or otherwise meritless lawsuits. Had each plaintiff initially instituted a separate lawsuit as should have occurred here, a fee would have been collected for each one. Thus, the federal fisc and more particularly the federal courts are being wrongfully deprived of their due. By misjoining claims, a lawyer or party need not balance the payment of the filing fee against the merits of the claim or claims.

In re BitTorrent Adult Film Copyright Infringement Cases, 296 F.R.D. 80, 92 (E.D.N.Y. 2012) (internal citations and quotations omitted); *accord In re Asbestos Prod. Liab. Litig.*, 2008 WL 4290954, at *2–3 (E.D. Pa. Sept. 18, 2008) (requiring amended and severed complaint and payment of filing fee within 60 days on pain of dismissal with prejudice); *In re Seroquel Prod. Liab. Litig.*, 2007 WL 737589, at *2–3 (M.D. Fla. Mar. 7, 2007) (noting “gatekeeping feature of a filing fee and the cost of managing [] additional cases in the federal court system as a whole, both as a part of this multi-district case and once remanded to the transferor or proper court, as individual cases”); *In re Diet Drugs*, 325 F.Supp.2d 540, 542 (E.D.Pa. 2004) (“We view the

payment of a [] filing fee for every severed and amended complaint not only as just but as mandated by § 1914(a). We do not read § 1914(a) to bestow a free ride on misjoined or misjoining plaintiffs.”).

4. Any Affected Plaintiff who fails to comply with his or her obligation under this Order to file, as a new lawsuit in this District, an amended and severed complaint and to pay any associated filing fee will be subject to having his or her claims dismissed. If any Affected Plaintiff has not filed, as a new lawsuit in this District, an amended and severed complaint and paid any filing fee within ninety (90) days of this Order, New GM may file a First Notice of Non-Compliance identifying the Affected Plaintiffs who have failed to comply with this Order and requesting that the Court enter an Order dismissing their claims without prejudice. New GM will serve any non-compliant Affected Plaintiff with the First Notice of Non-Compliance and any Order issued by the Court with respect to that Notice and file proof of service.

5. If the Court dismisses the claims of an Affected Plaintiff without prejudice under the previous paragraph, the Order dismissing the claim without prejudice will be converted to a Dismissal With Prejudice upon New GM’s filing of a Second Notice of Non-Compliance — to be filed no earlier than thirty (30) days after the Court’s entry of the Order of dismissal without prejudice — unless an Affected Plaintiff files, in the form of a new lawsuit in this District, an amended and severed complaint and pays any associated filing fee. New GM will likewise serve any non-compliant Affected Plaintiff with the Second Notice of Non-Compliance and any order issued by the Court with respect to that Notice and file proof of service.

6. If or when an Affected Plaintiff files, as a new lawsuit in this District, an amended and severed complaint and pays any associated filing fee, the Court will enter an order severing that Affected Plaintiff from his or her existing omnibus complaint. *See* Fed. R. Civ. P. 21 (“The

court may also sever any claim against a party.”). (There is no need to do so with respect to any Affected Plaintiff who fails to file an amended and severed complaint by the deadline, as his or her claims will be dismissed from his or her existing omnibus complaint.) If the Court fails to do so within fourteen days of an amended and severed complaint being filed, New GM shall advise the Court by letter.

7. Within thirty (30) days of the entry of any Order dismissing the claims of Affected Plaintiffs with prejudice pursuant to this Order, New GM will advise the Court of its views with respect to proposed next steps for any non-dismissed Affected Plaintiffs. New GM should first endeavor to meet and confer in good faith with such Affected Plaintiffs (or, if represented, with such Affected Plaintiffs’ counsel).

8. Affected Plaintiffs are advised that all communications with the Court by a *pro se* (that is, unrepresented) party must be mailed to the *Pro Se* Office, United States Courthouse, 500 Pearl Street, Room 200, New York, New York 10007. No documents or court filings should be sent directly to the Chambers of the undersigned. Copies of correspondence between a *pro se* party and counsel shall not be sent to the Court. Affected Plaintiffs are also advised that, as of last year, a *Pro Se* Law Clinic opened in this District to assist non-incarcerated people who are parties in civil cases and do not have lawyers. The Clinic may be able to provide unrepresented Affected Plaintiffs with advice in connection with this case. The *Pro Se* Law Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the *Pro Se* Intake Unit). The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. The Clinic is open on


weekdays from 10 a.m. to 4 p.m., except on days when the Court is closed. An Affected Plaintiff can make an appointment in person or by calling (212) 659-6190.

9. New GM shall promptly serve Affected Plaintiffs with any Order issued by the Court that may affect their rights and file proof of such service.

10. The Clerk of Court is directed to terminate 14-MD-2543, Docket No. 4712; 14-CV-5810, Docket No. 510; 14-CV-6924, Docket No. 206; 14-CV-8176, Docket No. 723; 14-CV-9864, Docket No. 158; 14-CV-9965, Docket No. 160; 14-CV-10023, Docket No. 202; 15-CV-1354, Docket No. 153; 15-CV-2844, Docket No. 141; 15-CV-4142, Docket No. 138; 15-CV-5528, Docket No. 9; 15-CV-6578, Docket No. 112.

SO ORDERED.

Dated: November 27, 2017
New York, New York



JESSE M. FURMAN
United States District Judge

EXHIBIT A

EXHIBIT "A"

Name	Cause No.
Abney, Bob IARE Megan Abney	1:14-cv-05810 Abney et al v. General Motors, LLC
Andrews, Monikah	1:14-cv-05810 Abney et al v. General Motors, LLC
Andrews, Monikah IANF Isaiah Hosanna	1:14-cv-05810 Abney et al v. General Motors, LLC
Arroyos, Jennifer	1:14-cv-05810 Abney et al v. General Motors, LLC
Arroyos, Jennifer IANF Jared Arroyos	1:14-cv-05810 Abney et al v. General Motors, LLC
Arroyos, Jennifer IANF Josalyn Arroyos	1:14-cv-05810 Abney et al v. General Motors, LLC
Babcock, Garry	1:14-cv-05810 Abney et al v. General Motors, LLC
Barrington, Billie IANF Haylee Navarro IARE Chris Prinkki	1:14-cv-05810 Abney et al v. General Motors, LLC
Benjamin, Cassandra IARE Tiffany Benjamin	1:14-cv-05810 Abney et al v. General Motors, LLC
Bentley, Mary	1:14-cv-05810 Abney et al v. General Motors, LLC
Bombard, James	1:14-cv-05810 Abney et al v. General Motors, LLC
Bristow, Brad	1:14-cv-05810 Abney et al v. General Motors, LLC
Brock, Avis	1:14-cv-05810 Abney et al v. General Motors, LLC
Brooks, Rodney IARE Brandon Brooks	1:14-cv-05810 Abney et al v. General Motors, LLC
Brown, Debra	1:14-cv-05810 Abney et al v. General Motors, LLC
Brown, Debra IANF Natalie Brown	1:14-cv-05810 Abney et al v. General Motors, LLC
Bryant, Tamikiara	1:14-cv-05810 Abney et al v. General Motors, LLC
Burnett, Christian	1:14-cv-05810 Abney et al v. General Motors, LLC
Cadena, Alma	1:14-cv-05810 Abney et al v. General Motors, LLC
Casanova, Angelica	1:14-cv-05810 Abney et al v. General Motors, LLC
Casey, Jane	1:14-cv-05810 Abney et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Clark, William	1:14-cv-05810 Abney et al v. General Motors, LLC
Cortinas, Rosie IARE Amador M. Cortinas	1:14-cv-05810 Abney et al v. General Motors, LLC
Cousette, Kenneth	1:14-cv-05810 Abney et al v. General Motors, LLC
Craig, Lakeshia	1:14-cv-05810 Abney et al v. General Motors, LLC
Davis, Charles	1:14-cv-05810 Abney et al v. General Motors, LLC
Davis, Lisa	1:14-cv-05810 Abney et al v. General Motors, LLC
Duffy, Ginger	1:14-cv-05810 Abney et al v. General Motors, LLC
Eckstein, Candice Marie	1:14-cv-05810 Abney et al v. General Motors, LLC
Eley, Stacy L	1:14-cv-05810 Abney et al v. General Motors, LLC
Francis, Eduardo	1:14-cv-05810 Abney et al v. General Motors, LLC
Frazier, Tatum	1:14-cv-05810 Abney et al v. General Motors, LLC
Gates, Malinda	1:14-cv-05810 Abney et al v. General Motors, LLC
Gaylor, Jesika	1:14-cv-05810 Abney et al v. General Motors, LLC
Gomez, Karen	1:14-cv-05810 Abney et al v. General Motors, LLC
Goodwin, Diane	1:14-cv-05810 Abney et al v. General Motors, LLC
Hall, Jacquelyn	1:14-cv-05810 Abney et al v. General Motors, LLC
Hampton, Bernice	1:14-cv-05810 Abney et al v. General Motors, LLC
Haywood-Richmond, Kimberly IARE Tyrone E Richmond Sr	1:14-cv-05810 Abney et al v. General Motors, LLC
Henson, Felicia	1:14-cv-05810 Abney et al v. General Motors, LLC
Herren, Gloria	1:14-cv-05810 Abney et al v. General Motors, LLC
Hosmer, Aaron	1:14-cv-05810 Abney et al v. General Motors, LLC
Jackson, Martha	1:14-cv-05810 Abney et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Jenkins, Erika	1:14-cv-05810 Abney et al v. General Motors, LLC
Jones, Linda	1:14-cv-05810 Abney et al v. General Motors, LLC
Kelly, Lawrence P IARE Edith Kelly	1:14-cv-05810 Abney et al v. General Motors, LLC
Kenny, Emily IANF Lilly Snow IARE Nicholas Snow	1:14-cv-05810 Abney et al v. General Motors, LLC
Kniceley, Keith	1:14-cv-05810 Abney et al v. General Motors, LLC
Lecocke, John	1:14-cv-05810 Abney et al v. General Motors, LLC
LeRoy, Ashlie IANF Brooklynn Jondall	1:14-cv-05810 Abney et al v. General Motors, LLC
Lishbrook, Joyce	1:14-cv-05810 Abney et al v. General Motors, LLC
Logan-Hart, Joan	1:14-cv-05810 Abney et al v. General Motors, LLC
Lomax, Everett	1:14-cv-05810 Abney et al v. General Motors, LLC
Magness, Linda	1:14-cv-05810 Abney et al v. General Motors, LLC
Mahoney, Sandi	1:14-cv-05810 Abney et al v. General Motors, LLC
Martinez, Antonio	1:14-cv-05810 Abney et al v. General Motors, LLC
McCracken, James	1:14-cv-05810 Abney et al v. General Motors, LLC
McCracken, James IANF Austin McCracken	1:14-cv-05810 Abney et al v. General Motors, LLC
Merediz, Kim IARE Jose Merediz	1:14-cv-05810 Abney et al v. General Motors, LLC
Meza, Ramiro Jose	1:14-cv-05810 Abney et al v. General Motors, LLC
Mitchell, Augustus Akeem	1:14-cv-05810 Abney et al v. General Motors, LLC
Montgomery, Denisha	1:14-cv-05810 Abney et al v. General Motors, LLC
Mullen, Terry IARE Carolyn Pryor	1:14-cv-05810 Abney et al v. General Motors, LLC
O'Daniel, Ted	1:14-cv-05810 Abney et al v. General Motors, LLC
Obas, Terrance	1:14-cv-05810 Abney et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Pearson, Bradericka	1:14-cv-05810 Abney et al v. General Motors, LLC
Pinnock, Neville	1:14-cv-05810 Abney et al v. General Motors, LLC
Price, John	1:14-cv-05810 Abney et al v. General Motors, LLC
Ray, Amber R	1:14-cv-05810 Abney et al v. General Motors, LLC
Ray, Jeffrey B	1:14-cv-05810 Abney et al v. General Motors, LLC
Rempert, Delores IARE Jamie Leigh Peyton	1:14-cv-05810 Abney et al v. General Motors, LLC
Rhodes, Samantha	1:14-cv-05810 Abney et al v. General Motors, LLC
Rhodes, Samantha IANF Kyndal Rhodes	1:14-cv-05810 Abney et al v. General Motors, LLC
Richardson, Priscilla IANF Anthony Nathaniel Richardson	1:14-cv-05810 Abney et al v. General Motors, LLC
Robbins, Laverne	1:14-cv-05810 Abney et al v. General Motors, LLC
Robertson, April	1:14-cv-05810 Abney et al v. General Motors, LLC
Robertson, Sarah IANF Shane Robertson	1:14-cv-05810 Abney et al v. General Motors, LLC
Russell, Princess	1:14-cv-05810 Abney et al v. General Motors, LLC
Sanders, Martita	1:14-cv-05810 Abney et al v. General Motors, LLC
Segura, Christopher	1:14-cv-05810 Abney et al v. General Motors, LLC
Showen, Michael	1:14-cv-05810 Abney et al v. General Motors, LLC
Smith, Charlie	1:14-cv-05810 Abney et al v. General Motors, LLC
Smith, Kristina L	1:14-cv-05810 Abney et al v. General Motors, LLC
Stewart, Gregory	1:14-cv-05810 Abney et al v. General Motors, LLC
Stockton, Colby	1:14-cv-05810 Abney et al v. General Motors, LLC
Sueling-Loons, Josephine	1:14-cv-05810 Abney et al v. General Motors, LLC
Touchstone, Janet	1:14-cv-05810 Abney et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Villarreal Jr., Refugio	1:14-cv-05810 Abney et al v. General Motors, LLC
Voigt, Wayne IARE Laura Voigt	1:14-cv-05810 Abney et al v. General Motors, LLC
Wallace, Angel	1:14-cv-05810 Abney et al v. General Motors, LLC
Weber, Willie	1:14-cv-05810 Abney et al v. General Motors, LLC
West, Clarice IARE Keith West	1:14-cv-05810 Abney et al v. General Motors, LLC
Witherspoon, Timothy	1:14-cv-05810 Abney et al v. General Motors, LLC
Wooten, Kathy	1:14-cv-05810 Abney et al v. General Motors, LLC
Wooten, Shannon IARE Joshua Wooten	1:14-cv-05810 Abney et al v. General Motors, LLC
Wright, Yolanda	1:14-cv-05810 Abney et al v. General Motors, LLC
Berard, Brandy	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Bueno, John	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Bueno, Lisa	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Burns, Angela	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Davis, Donna IARE Kendra Davis	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Duckett, Raymond	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Ferrell, Tabatha	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Garza, Rosy E	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Harris, Charlesa	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Haseleu, Todd IARE Tiffany Lee Haseleu	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Higgins, Sherell	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Higgins, Sherell IARE Darneasha Brown	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Hillman, Diana	1:14-cv-06924 Edwards, et al. v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Honeycutt, Sammeeka	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Langley, Kim IARE Richard Bailey	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Lindsay, Kenneth IARE Rita Carol Lindsay	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Lynn, Kenneth A.	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Moindi, Wycliffe	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Peoples, Earlesha	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Peterson, Ranae	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Snyder, Anthony	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Starks, Sharm	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Torres, Aleni	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Torres, Daniel	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Tyler, Jacqueline IARE Altonio Tyler	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Vega-Torres, Omaira	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Venable, Houston	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Vogt, Valerie IARE William Vogt	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Wallace, Carla IARE Cory Wallace	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Wellington, James	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Willis-Singh, Tanya	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Wright, Jacqueline	1:14-cv-06924 Edwards, et al. v. General Motors, LLC
Arroyos, Estevan	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Beckemeyer, Shannon	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Brown, Audra	1:14-cv-08176 Fleck, et al. v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Cohen, Kelly	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Harrison, Jabrittny	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Hellerman, Wayne	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Jasper, Kathy	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Lewis, Jameka	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Licht, Donald	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Mahoney, Sandi IANF Brodi Mahoney	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Mahoney, Sandi IANF Brylei Mahoney	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Mahoney, Sandi IANF Serenity Yocum	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Moore, Patricia	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Moore, Tajuan	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Mounts, William	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Myers, Yvonne	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Tedder, Brittany	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Thomas, Flossie	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Williams, Patricia	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Woodall, Martha	1:14-cv-08176 Fleck, et al. v. General Motors, LLC
Yohe, Patrick IARE Christopher Yohe	1:14-cv-09864 Yohe v. General Motors, LLC
Ewing, Deerena	1:14-cv-09965 Ewing v. General Motors, LLC
Austin, Larry IARE Lonny Brantley	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Benjamin, Cassandra IANF Kavion Benjamin IARE Tiffany Benjamin	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Benjamin, Cassandra IANF Sencere Worthy IARE Tiffany Benjamin	1:14-cv-10023 Hayes, et al. v General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Haney, Louise	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Mann, Shanna	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Murtha, Patricia IARE James Murtha	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Post, Kimberly	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Price, Mareceia	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Salazar, Michael IARE Julia Salazar	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Smith, Kyle	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Voigt, Mary IARE Laura Voigt	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Webb, Ian A. IARE Jamie Leigh Peyton	1:14-cv-10023 Hayes, et al. v General Motors, LLC
Collazo, Evelyn	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Davis, Cindy	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Duenez, Salvador	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Fowler, Jennifer	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Hess, Christi	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Hess, Christi IANF Caleb Walker	1:15-cv-01354 Bendermon et al v. General Motors, LLC
McKinney, Wayne	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Miles, James	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Oberoi, Manju	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Pollard, Monique	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Ramirez, Patricia	1:15-cv-01354 Bendermon et al v. General Motors, LLC
Hess, Christi IANF Chase Walker	1:15-cv-02844 Morgan et al v. General Motors, LLC
Hess, Christi IANF Emilea Walker	1:15-cv-02844 Morgan et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Warwick, Kalen	1:15-cv-02844 Morgan et al v. General Motors, LLC
Adams, Tanisha	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Amos, Gina IARE Remington Lee Neeley	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Benson, Kelvin	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Bush, Paige Jeanette	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Clark, Gregory	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
English, Agnes	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Hanson, Gonzella IARE Dominique Hanson	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Herrin, Howell	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Hinton, Shanta	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Hogan, Kayla	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Lambert, Lisa IARE Lawrence Lambert	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Loudermilk, Jason	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Majesky, Mary Lou	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Matula, James	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Meeks, Darren	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Osbie, Lekiasa	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Riley, Travis	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Robertson, Kelly	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Robertson, Kelly IANF Makayla Owens	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Robinson, Annette	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Rooney, Thomas IARE Jennie Rooney	1:15-cv-04142 Altebaumer et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Schultz, Shannon	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Scott, Isheisa IARE Lee Scott	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Silva, Jesse	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Simon, Constance	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Slan, Jerrelle	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Tanner, Crystal	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Thomas, William	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Williams, Mark	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Winfrey, Lois	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Zlomke, Phillip	1:15-cv-04142 Altebaumer et al v. General Motors, LLC
Bollinger, Tasha	1:15-cv-05528 Adams et al v. General Motors, LLC
Brooks, Michael	1:15-cv-05528 Adams et al v. General Motors, LLC
Danise, Vincent John	1:15-cv-05528 Adams et al v. General Motors, LLC
Davis, Saint	1:15-cv-05528 Adams et al v. General Motors, LLC
Edwards, Cedric	1:15-cv-05528 Adams et al v. General Motors, LLC
Hartnett, Carolyn IARE Sara Hartnett	1:15-cv-05528 Adams et al v. General Motors, LLC
Haseleu, Tanya IARE Tiffany Lee Haseleu	1:15-cv-05528 Adams et al v. General Motors, LLC
Higgins, Sherell IANF Darrell Brown Jr.	1:15-cv-05528 Adams et al v. General Motors, LLC
Hueber, Jamie	1:15-cv-05528 Adams et al v. General Motors, LLC
Huerena, Samuel	1:15-cv-05528 Adams et al v. General Motors, LLC
Jackman, Patricia IARE Jessica Jackman	1:15-cv-05528 Adams et al v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Langley, Nick IARE Richard Bailey	1:15-cv-05528 Adams et al v. General Motors, LLC
Lee, Doris	1:15-cv-05528 Adams et al v. General Motors, LLC
Machado, Austin IARE Marie Machado	1:15-cv-05528 Adams et al v. General Motors, LLC
Machado, Charlotte IARE Marie Machado	1:15-cv-05528 Adams et al v. General Motors, LLC
Machado, Socrates IARE Marie Machado	1:15-cv-05528 Adams et al v. General Motors, LLC
Miller, Tara	1:15-cv-05528 Adams et al v. General Motors, LLC
Nieves, Angelo	1:15-cv-05528 Adams et al v. General Motors, LLC
Parker, Sonja	1:15-cv-05528 Adams et al v. General Motors, LLC
Robin, Amanda	1:15-cv-05528 Adams et al v. General Motors, LLC
Sims, Paris	1:15-cv-05528 Adams et al v. General Motors, LLC
Stivers, Brandon	1:15-cv-05528 Adams et al v. General Motors, LLC
Ward, Kenneth IARE Marie Machado	1:15-cv-05528 Adams et al v. General Motors, LLC
Wilson, Fred IARE Diane Grace Wilson	1:15-cv-05528 Adams et al v. General Motors, LLC
Bradshaw, Donna	1:15-cv-06578 Blood v. General Motors, LLC
Cross, Delilah	1:15-cv-06578 Blood v. General Motors, LLC
Douglas, James	1:15-cv-06578 Blood v. General Motors, LLC
Douglas, Kenneth	1:15-cv-06578 Blood v. General Motors, LLC
Lindsey, Heath	1:15-cv-06578 Blood v. General Motors, LLC
Moore, Patricia A.	1:15-cv-06578 Blood v. General Motors, LLC
Najfus, Cynthia	1:15-cv-06578 Blood v. General Motors, LLC
Roberts, Fredrick	1:15-cv-06578 Blood v. General Motors, LLC
Sanderson, Joshua	1:15-cv-06578 Blood v. General Motors, LLC

EXHIBIT "A"

Name	Cause No.
Shaw, Benjamin	1:15-cv-06578 Blood v. General Motors, LLC
Smith, Diedra	1:15-cv-06578 Blood v. General Motors, LLC
Tanner, Charlene	1:15-cv-06578 Blood v. General Motors, LLC
Westfall, Wayde	1:15-cv-06578 Blood v. General Motors, LLC
Wilson, Keith	1:15-cv-06578 Blood v. General Motors, LLC

EXHIBIT B

Notice to Certain Plaintiffs in General Motors Ignition Switch Litigation

1. You are a plaintiff in *In re: General Motors LLC Ignition Switch Litigation*, 14-MD-2543 (JMF), a case now pending before the Honorable Jesse M. Furman, United States District Judge for the Southern District of New York.
2. Attached is an Order entered by Judge Furman on November 27, 2017. As the Order explains, Hilliard Martinez Gonzales, Thomas J. Henry Injury Attorneys, and Matthews & Associates applied for permission to withdraw as your lawyers in connection with this case, and the Court has granted them permission to withdraw. Accordingly, as of this time, you are no longer represented by Hilliard Martinez Gonzales, Thomas J. Henry Injury Attorneys, and Matthews & Associates in connection with this case.
3. You may hire a lawyer to represent you in this case or you may proceed *pro se* (that is, you may represent yourself without the assistance of a lawyer). If you choose to proceed *pro se*, all communications with the Court should be through the *Pro Se* Office of the United States District Court for the Southern District of New York. The *Pro Se* Office is located in Room 200 of the United States Courthouse, 500 Pearl Street, New York, NY 10007, and may be reached at (212) 805-0175.
4. If you choose to represent yourself, you may also seek assistance from a *Pro Se* Law Clinic run by the New York Legal Assistance Group, which is available to assist individuals who are parties in civil cases and do not have lawyers. It is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, NY in Room LL22, and may be reached on weekdays from 10 a.m. to 4 p.m. Eastern Time at (212) 659-6190. The Clinic may be able to provide you with advice in connection with your case.
5. Regardless of whether you retain a new lawyer to represent you or if you proceed *pro se*, you are responsible for complying with all the Court's orders and its Individual Rules and Practices. A copy of the Court's Individual Rules and Practices is attached.
6. **Judge Furman's Order of November 27, 2017, contains some important deadlines and you should read it with care. Failure to meet the deadlines may result in dismissal of your claims.**
7. As set forth in Judge Furman's Order, **if you wish to continue with your claims, you must file a new lawsuit in the United States District Court for the Southern District of New York by February 26, 2018, and pay any associated filing fees.** You must also file a Related Case Statement, available at www.nysd.uscourts.gov/forms.php, identifying the new lawsuit as related to these proceedings (*In re: General Motors Ignition Switch Litigation*, 14-MD-2543 (JMF)).
8. **If you do not file a new lawsuit in the United States District Court for the Southern District of New York by February 26, 2018, your claims may be dismissed.** As set forth in the Court's Order, your claims would first be dismissed *without* prejudice (that is, they could be refiled, subject to other potential restrictions). You would then have **thirty (30) days** within which to file a new lawsuit in the United States District Court for the Southern District of New York and to pay any associated filing fee. If you failed to do so, your claims could be dismissed *with* prejudice. If the Court dismisses your claims *with* prejudice, you will no longer be able to file a lawsuit in connection with your claims.
9. If you file a new lawsuit in accordance with Judge Furman's Order, General Motors LLC will seek to meet and confer with you in good faith before the litigation proceeds further. If you are represented, GM LLC will instead meet and confer with your counsel.
10. This Notice has been reviewed and approved by Judge Furman. To the extent that there is any conflict between the Notice and Judge Furman's Order of November 27, 2017, the Order controls.

EXHIBIT C

Revised: November 3, 2017

INDIVIDUAL RULES AND PRACTICES IN CIVIL *PRO SE* CASES
Jesse M. Furman, United States District Judge

Pro Se Office

United States District Court
Southern District of New York
500 Pearl Street, Room 200
New York, NY 10007
(212) 805-0175

Unless otherwise ordered by the Court, these Individual Practices apply to all civil cases involving *pro se* litigants (that is, litigants without counsel) before Judge Furman.

1. Communications with Chambers

- A. By a *Pro Se* Party.** All communications with the Court by a *pro se* party should be delivered in person or mailed to the *Pro Se* Office, United States Courthouse, 500 Pearl Street, Room 200, New York, New York 10007. No documents or court filings may be sent directly to Chambers. **Any questions should be directed to the *Pro Se* Office at (212) 805-0175; *pro se* parties may not call the Court directly.** Unless the Court orders otherwise, all communications with the Court will be docketed upon receipt; such docketing shall constitute service on any user of the ECF system. If any other party is not a user of the ECF system (*e.g.*, if there is another *pro se* party in the case), a *pro se* party must send copies of any filing to that party and include an Affidavit of Service or other statement affirming that it has done so. Copies of correspondence between a *pro se* party and opposing parties shall not be sent to the Court.
- B. By Parties Represented by Counsel.** Except as otherwise provided below, communications with the Court by a represented party shall be governed by Judge Furman's Individual Rules and Practices in Civil Cases, available at <http://nysd.uscourts.gov/judge/Furman>.
- C. Requests for Adjournments or Extensions of Time.** All requests for adjournments or extensions of time must be made in writing and must state: (1) the original date(s); (2) the number of previous requests for adjournment or extension; (3) whether these previous requests were granted or denied; (4) the reasons for the requested extension; (5) whether the adversary consents and, if not, the reasons given by the adversary for refusing to consent; and (6) the date of the parties' next scheduled appearance before the Court. If the requested adjournment or extension affects any other scheduled dates, a represented party must submit a proposed Revised Scheduling Order in accordance with Judge Furman's Individual Rules and Practices in Civil Cases. A *pro se* party may, but

is not required to, submit a proposed Revised Scheduling Order. Requests for extensions of deadlines regarding a matter that has been referred to a Magistrate Judge shall be directed to that assigned Magistrate Judge.

Absent an emergency, any request for extension or adjournment shall be made *at least 48 hours* prior to the deadline or scheduled appearance. Requests for extensions will ordinarily be denied if made after the expiration of the original deadline.

2. Filing of Papers and Service

A. Papers Filed by a *Pro Se* Party. All papers to be filed with the Court by a *pro se* party, along with one courtesy copy of those papers, shall be delivered in person or sent by mail to the *Pro Se* Office, United States Courthouse, 500 Pearl Street, Room 200, New York, New York 10007. Any *pro se* party that wishes to participate in electronic case filing (“e-filing”) must file a Motion for Permission for Electronic Case Filing (available at <http://nysd.uscourts.gov/file/forms/motion-for-permission-for-electronic-case-filing-for-pro-se-cases> and in the *Pro Se* Office). If the Court grants a motion to participate in “e-filing,” that party *will not* receive hardcopies of any document filed electronically via ECF.

B. Service on a *Pro Se* Party. Counsel in *pro se* cases must serve a *pro se* party with a paper copy of any document that is filed electronically and must file with the Court a separate Affidavit of Service. Submissions filed without proof of service that the *pro se* party was served will not be considered.

3. Discovery

All requests for discovery by a *pro se* party should be sent to counsel for the party from whom discovery is sought. Discovery requests should not be sent to the Court.

If there are any discovery disputes, the parties are required to confer with one another in an effort to resolve the dispute without the need for Court intervention. If the parties are unable to resolve their dispute, either party may file a letter-motion, no longer than three pages and in accordance with Paragraph 1 above, explaining the nature of the dispute and requesting an informal conference. If the opposing party wishes to respond to the letter, it must promptly file a responsive letter, not to exceed three pages.

4. Motions

A. Filing and Service. Unless otherwise ordered by the Court, papers filed in opposition to a motion must be served and filed within 30 days of service of the

motion papers, and reply papers, if any, must be served and filed within two weeks of receipt of opposition papers.

- B. *Pro Se* Notices.** Parties who file a motion to dismiss, a motion for judgment on the pleadings, or a motion for summary judgment must provide the *pro se* party with a copy of the notices required under Local Civil Rules 12.1 or 56.2.
- C. Special Rule for Summary Judgment Motions.** With respect to any deposition that is supplied, whether in whole or in part, in connection with a summary judgment motion, the index to the deposition should be included if it is available.
- D. Courtesy Copy.** One courtesy hard copy of all formal motion papers, marked as such, should be submitted to Chambers *by the non-pro se party* at the time the reply is due. Courtesy copies should not be submitted to Chambers at the time of filing. If all the parties are *pro se*, then no courtesy copies of formal motion papers are required.
- E. Oral Argument.** Unless otherwise ordered by the Court, oral argument will not be heard in *pro se* matters.

5. Initial Case Management Conference

Absent a motion to dismiss, the Court will generally schedule an initial case management conference within four months of the filing of the complaint. The Notice of Initial Pretrial Conference will be docketed on ECF and mailed to the *pro se* party or parties.

The Court will set a schedule for the case at the initial case management conference. In most cases, the Court will give the parties four months (from the date of the conference) to complete all discovery, and set a deadline for the filing of any motions for summary judgment 30 days after the close of discovery. In advance of the initial case management conference, the parties should, if practicable, confer with one another to determine if such a schedule would be appropriate or if there is anything unusual about the case that would require more time and be prepared to discuss those issues at the conference. The Court will issue a written order memorializing all dates and deadlines following the conference.

An incarcerated party may not be able to attend this or other conferences, but may be able to participate by telephone. If an incarcerated party does not have counsel and is unable to participate by telephone, a family member or a representative may attend the conference. In such instances, the incarcerated party may write to the Court in advance of the conference regarding any issue the *pro se* party wishes to have addressed at the conference. If a representative is designated, he or she should contact Chambers at (212) 805-0282 to determine the location of the conference. The Court will also have a transcript of the conference sent to the incarcerated party.

6. Trial Documents

A. Pretrial Statement. Unless otherwise ordered by the Court, within 30 days of the completion of all discovery or, if a summary judgment motion is filed, within 30 days of the Court's ruling on summary judgment, the plaintiff in a *pro se* case shall file a concise, written Pretrial Statement. This Statement need take no particular form, but it must contain the following: (1) a statement of the facts the plaintiff hopes to prove at trial; (2) a list of all documents or other physical objects that the plaintiff plans to put into evidence at trial; and (3) a list of the names and addresses of all witnesses the plaintiff intends to have testify at trial. The Statement must be sworn by the plaintiff to be true and accurate based on the facts known by the plaintiff. If *pro se*, the plaintiff shall file an original of this Statement, plus one courtesy copy, with the *Pro Se* Office. Two weeks after service of the plaintiff's Statement, the defendant must file and serve a similar Statement of its case containing the same information.

B. Other Pretrial Filings. If the case is to be tried before only a Judge without a jury, any parties represented by counsel must also file proposed findings of fact and conclusions of law at the time of filing the Pretrial Statement. If the case is to be tried before a jury, any parties represented by counsel must also file proposed *voir dire* questions, a proposed jury charge, and a proposed verdict form at the time of filing the Pretrial Statement. At the time of filing, a represented party should e-mail these documents to the Court (Furman_NYSDChambers@nysd.uscourts.gov), in both .pdf and Microsoft Word formats. The *pro se* party may file such documents, but is not required to do so and need not submit them by e-mail.

7. Pro Se Clinic

In 2016, a *Pro Se* Law Clinic opened in this District to assist non-incarcerated people who are parties in civil cases and do not have lawyers. The Clinic may be able to provide a non-incarcerated *pro se* litigant with advice in connection with his or her case. The *Pro Se* Law Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the *Pro Se* Intake Unit). The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. The Clinic is open on weekdays from 10 a.m. to 4 p.m., except on days when the Court is closed. An unrepresented party can make an appointment in person or by calling (212) 659-6190.