

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

This Document Relates to All Actions

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

ORDER NO. 26

-----X
**ORDER REGARDING THE PRODUCTION OF
PERSONNEL FILES BY GENERAL MOTORS LLC**

WHEREAS, a federal proceeding captioned *In re General Motors LLC Ignition Switch Litigation*, MDL Docket No. 2543 (the “MDL Proceeding”), is pending before the Hon. Jesse M. Furman in the United States District Court for the Southern District of New York;

WHEREAS, several other actions involving the same subject matter as the MDL Proceeding have been filed in the courts of a number of states and in federal courts (the “Related Actions”)¹;

WHEREAS, some Related Actions may be coordinated with the MDL Proceeding through the adoption in the Related Action of the MDL Proceeding’s Joint Coordination Order (the “Coordinated Actions”);

WHEREAS, Plaintiffs in the MDL Proceeding and certain Coordinated Actions have served discovery requests seeking documents or other information within the personnel files of current or former employees of General Motors LLC;

WHEREAS, General Motors LLC has objected to the discovery requests on scope, relevance and burden grounds, particularly in light of the highly sensitive nature of the requested information;

¹“Related Actions” shall not include shareholder derivative suits and securities class actions.

WHEREAS, this Order reflects the compromise agreement agreement the parties have reached regarding the discovery requests;

NOW, THEREFORE, IT IS ORDERED the following rules shall govern the production of personnel files and related documents by General Motors LLC in the MDL Proceeding, and any Coordinated Action:

I. Introduction

General Motors LLC (“New GM”) and Plaintiffs, through Lead Counsel, (collectively, the “Parties”) jointly submit this Order for approval and entry by the Court and by Judge Tanksley in the *Melton II* action pending in Circuit Court of Cobb County, Georgia. This Order sets forth New GM’s obligations in response to discovery requests seeking documents or other information within or related to the personnel file of current or former New GM employees.

II. General

1. New GM will produce separation agreements, including any undertaking letters, for any former employee who New GM reasonably believes was separated from New GM relating to ignition switch issues related to GM Recall Nos. 13454 and 14063.

2. New GM will produce any letters of discipline for any employee who New GM reasonably believes was disciplined relating to ignition switch issues related to GM Recall Nos. 13454 and 14063.

3. New GM will conduct a reasonable search for and produce Commitment Accountability Partnership (“CAP”) performance evaluations for certain individuals identified in Section III of this Order, subject to the limitations set forth therein.

4. New GM need not at this time search for or produce correspondence or other documents that relate to the documents described in Paragraphs 1-3 above.

5. New GM will produce the documents pursuant to this Order subject to the Protective Order (Order #10), with sensitive and irrelevant information (such as health and financial data) redacted.

III. Annual Performance Evaluations Related to Specific Current or Former New GM Employees

6. For each of the following individuals, New GM will conduct a reasonable search for and produce CAP performance evaluations for the period 2010 to the present.

- a. Gary Altman
- b. William Chase
- c. Raymond DeGiorgio
- d. Brian Everest
- e. James Federico
- f. Victor Hakim
- g. Ebram Handy
- h. Peter Judis
- i. Steve Oakley
- j. Brian Stouffer
- k. Brian Thompson
- l. David Trush
- m. Carmen Benavides
- n. Alicia Boler-Davis
- o. Lawrence Buonomo
- p. John Calabrese
- q. Dan Davis
- r. Maureen Foley-Gardner

- s. William Kemp
- t. Gay P. Kent
- u. Jaclyn Palmer
- v. Doug Parks
- w. Jim Queen
- x. Lori Queen
- y. Ron Porter
- z. Michael Robinson
- aa. Jennifer Sevigny
- bb. Scott Sherman
- cc. John Sprague
- dd. Alan Stork
- ee. Doug Wachtel
- ff. Craig Zinser

7. New GM shall conduct a reasonable search for and produce those portions of Rick Wagoner's 2009 performance evaluation (if one exists) that refer to the ignition switch issues relevant to this case, if any, and the safety recall process, if any.

8. For each of the following individuals, New GM need not produce annual evaluations:

- a. Alan Batey
- b. Jeff Boyer
- c. Nancy Burder
- d. Kevin Gannon
- e. Steve Harris
- f. Dennis Korinek

- g. Mark Laneve
- h. Michael Millikin
- i. Mark Reuss

9. New GM represents that each of the following individuals is a current or former contract employee of New GM, and as such would not receive annual performance evaluations from New GM.

- a. Craig St. Pierre
- b. Blendi Sullaj

New GM will conduct reasonable searches to confirm that it does not have CAP performance evaluations for these individuals in its possession.

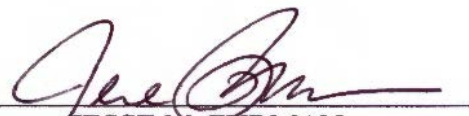
IV. Miscellaneous

10. This Order is without prejudice to Plaintiffs' right, for good cause shown, to seek additional personnel-related documents after they review the documents New GM will produce pursuant to this Order.

11. All Parties reserve the right to request a modification of this Order, including seeking an order further limiting production obligations with respect to personnel-related documents.

SO ORDERED.

Dated: November 25, 2014
New York, New York



JESSE M. FURMAN
United States District Judge