



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. 93

JESSE M. FURMAN, United States District Judge:

[Regarding Motion Practice Concerning the Third Amended Consolidated Complaint]

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that, having received and reviewed the parties’ letter briefs (Docket Nos. 2020, 2021), motion practice concerning the Third Amended Consolidated Complaint (“TACC”) shall proceed as follows:

1. *Scope of Motion Practice.* Motion practice shall be limited to named Plaintiffs whose claims are based on vehicles manufactured by New GM, including both Delta Ignition Switch Vehicles and non-Delta Ignition Switch vehicles manufactured by New GM, as such terms are defined in the TACC. Motion practice shall include the named Plaintiffs in the following states whose claims are based on vehicles manufactured by New GM: California, the District of Columbia, Florida, Louisiana, Maryland, Missouri, Oklahoma, and Virginia. Motion practice shall include the following claims of such Plaintiffs: claims under the Racketeer Influenced and Corrupt Organizations Act (“RICO”), 18 U.S.C. §§ 1961 *et seq.*, the Magnuson-Moss Warranty Act, 15 U.S.C. §§ 2301, *et seq.*, for negligence, and state-law claims; but in each case only to the extent that such claims are brought by named Plaintiffs whose claims are based on vehicles manufactured by New GM. Motion practice contemplated under this paragraph will not preclude New GM from conducting additional motion practice related to allegations and claims in the TACC following any decision on appeal from a judgment of the Bankruptcy Court.

2. *Procedures for Motion Practice.* New GM shall conduct motion practice under Paragraph 1 by filing a motion to dismiss by **February 24, 2016**. Plaintiffs will file their opposition by **April 9, 2016**. New GM will file its reply by **April 30, 2016**. New GM's memorandum to its motion to dismiss and Plaintiffs' opposition memorandum are limited to sixty (60) pages, and New GM's reply memorandum is limited to thirty (30) pages.

3. *No Answer to the TACC Required.* New GM shall not be required to file an answer or any other response to the TACC unless and until further order of the Court.

4. *Remaining Discovery Issues from Order No. 84.* At this time, Plaintiffs may not conduct discovery into any additional alleged defects.¹ Plaintiffs may renew their requests for such discovery after the Court rules on New GM's motion to dismiss.

SO ORDERED.

Dated: January 20, 2016
New York, New York



JESSE M. FURMAN
United States District Judge

¹ The additional alleged defects are: Front Passenger Airbag Defect (TACC ¶¶ 685-87), Power Height Adjustable Seats Defect (TACC ¶¶ 714-17), Light Control Modules Defect (TACC ¶¶ 854-60), Hydraulic Brake Boost Assist Defect (TACC ¶¶ 745-46), Seat Hook Weld Defect (TACC ¶¶ 871-72); Brake Booster Pump Defect (TACC ¶¶ 738-44), Driver Side Airbag Shorting Bar Defect (TACC ¶¶ 654-59), and Roof Rail Airbag Defect (TACC ¶¶ 665-70).