

Legal Notice of Class Action Settlement
Vargas v. Ford Motor Co., Case No. 2:12-cv-08388-AB-FFM
United States District Court for the Central District of California

If you purchased/leased a Ford Focus (2012-2016 models) or Ford Fiesta (2011-2016 models) equipped with a PowerShift dual-clutch automatic transmission, this Notice provides information of a proposed class action settlement that could affect your legal rights.

What is this Notice about? This Notice concerns the proposed settlement of a class action lawsuit against Ford Motor Company (the “Settlement”). The lawsuit alleges that certain Ford Focus and Fiesta vehicles are equipped with a defective PowerShift Dual-Clutch Automatic (DPS6) Transmission (“PowerShift Transmission”) that may slip, buck, kick, or jerk, and result in sudden or delayed vehicle acceleration. Ford denies that it has violated any laws, denies that it has engaged in any wrongdoing, and denies that there is any safety hazard or defect. The parties agreed to resolve these issues before they were decided by the Court. If you are a current or former owner/lessee of a 2012-2016 Ford Focus or a 2011-2016 Ford Fiesta with a PowerShift Transmission (the “Class Vehicles”), you must take action to protect your rights or to obtain benefits within the time limits provided by the Settlement and the Orders of the Court. For more important information regarding the Settlement, including how to protect your rights and claim your benefits, go to **www.FordTransmissionSettlement.com** or call (844) 540-6011.

What benefits does the Settlement provide?

- If your Class Vehicle’s transmission is malfunctioning, you may be entitled to a repair or a repurchase of your vehicle through an expedited binding arbitration program created by the Settlement.
- If an authorized Ford dealer performed three or more transmission software flashes on your Class Vehicle, you may be entitled to cash payments ranging from \$50 to \$600, depending on the number of service visits.
- If an authorized Ford dealer replaced three or more qualifying hardware parts in your PowerShift Transmission while you owned the Class Vehicle, you may be entitled to cash payments ranging from \$200 to \$2,325 or Vehicle Discount Certificates ranging in value from \$400 to \$4,650, depending on the number of service visits.
- If you paid for a repair to the PowerShift Transmission that you think should have been covered by warranty, you may be entitled to reimbursement.
- If your Class Vehicle was manufactured after June 5, 2013, and two or more clutch replacements were performed on your Class Vehicle under warranty, and you had to pay for a clutch replacement after warranty, you may qualify for reimbursement.

What are my options?

- If you are a current or former owner/lessee of a Class Vehicle and do nothing, you will likely be part of the Settlement class and may claim benefits if the Settlement is approved by the Court. However, going forward, you will not be able to sue Ford with respect to any issues relating to the PowerShift Transmission in your vehicle.
- If you are a current or former owner/lessee of a Class Vehicle and do not want to be part of the Settlement class, you can exclude yourself in writing by September 5, 2017, in accordance with the terms of Settlement. If you exclude yourself from the Settlement class, you will be able to sue Ford with respect to issues relating to the PowerShift Transmission, but you will not get any benefits provided by the Settlement.
- If you do not exclude yourself, you can object to all or part of the Settlement by September 5, 2017, in accordance with the terms of the Settlement.
- If you have pending litigation against Ford alleging problems with the PowerShift Transmission in Class Vehicles, you are not a part of this Settlement. You have the right to opt-in to the Settlement by September 5, 2017. Please consult your attorney before you take action.

When will I get my benefits? No benefits will be available, and no claims will be accepted, unless and until the Court approves the Settlement. The Court will hold a fairness hearing on October 2, 2017, to determine whether to approve the Settlement and to decide the fees and costs for attorneys representing the class and the class representative incentive awards. Plaintiffs’ application for attorneys’ fees and costs will be filed by August 21, 2017. Please check the website for additional information. You are not required to appear at the fairness hearing, but you may. If you choose to appear, you may hire an attorney to appear for you, at your expense. If and when the Settlement is approved, if you have not timely excluded yourself from it, you will need to submit the appropriate claim forms and supporting documents to the Claims Administrator or to the Arbitration Administrator to claim your benefits. You may do so through www.FordTransmissionSettlement.com. If the Settlement is challenged on appeal, claims can be submitted, but benefits will not be available until the appeal is resolved. The Long Form Class Notice and details regarding Settlement benefits and the options available to you are available online at the Settlement website, www.FordTransmissionSettlement.com, or by phone at (844) 540-6011. Please review these details carefully and consider consulting an attorney. Please check the Settlement website periodically for more information concerning the status of the Settlement, when benefits will become available, and how and when to submit claims or begin arbitration.

To protect your rights and for information on how to obtain Settlement benefits you must go to **www.FordTransmissionSettlement.com** or call (844) 540-6011.

PLEASE DO NOT CALL THE COURT OR THE CLERK’S OFFICE REGARDING THIS NOTICE.

Dated: July 13, 2017

By Order of the United States District Court for the Central District of California