

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

IN RE: FCA US LLC MONOSTABLE  
ELECTRONIC GEARSHIFT LITIGATION

MDL No. 2744

Case Number 16-md-02744  
Honorable David M. Lawson  
Magistrate Judge David R. Grand

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**ORDER GRANTING PLAINTIFFS' MOTION  
TO AMEND CLASS DEFINITION**

This matter is before the Court on the plaintiffs' motion to amend the economic loss class definition or in the alternative for reconsideration of the Court's ruling setting forth the scope of the economic loss class. The Court has reviewed the submissions of the parties and heard oral argument on January 9, 2020. After hearing the parties' presentations, the Court announced from the bench its decision to grant the request for reconsideration and to propound an amended definition of the economic loss class.

Accordingly, for the reasons stated on the record, it is **ORDERED** that the plaintiffs' motion to amend or for reconsideration (ECF No. 496) is **GRANTED**, and the definition of the economic loss class is **AMENDED** as stated hereinafter.

It is further **ORDERED** that, pursuant to Federal Rule of Civil Procedure 23(b)(3) and (c)(4), a class is conditionally certified in this case consisting of all persons or entities who have purchased or leased a class vehicle, which means a 2012-2014 Dodge Charger, 2012-2014 Chrysler 300, or 2014-2015 Jeep Grand Cherokee equipped with the monostable shifter, where the vehicle was purchased or leased in Arizona, California, Colorado, Florida, Illinois, Iowa, Louisiana, Maryland, Massachusetts, Michigan, Nevada, New Jersey, New York, North Carolina, Ohio, Oregon, Pennsylvania, Texas, Utah, Washington, or Wyoming, but excluding every person

who has brought a claim against FCA US, LLC alleging recovery for bodily injuries caused by those vehicles under any legal theory, for determination of the following issues:

- Whether the monostable gear shift has a design defect that renders the class vehicles unsuitable for the ordinary use of providing safe transportation.
- Whether the defendant knew about the defect and concealed its knowledge from buyers of the class vehicles.
- Whether information about the defect that was concealed would be material to a reasonable buyer.

s/David M. Lawson  
DAVID M. LAWSON  
United States District Judge

Date: January 10, 2020

**PROOF OF SERVICE**

The undersigned certifies that a copy of the foregoing order was served upon each attorney or party of record herein by electronic means or first-class U.S. mail on January 10, 2020.

s/Susan K. Pinkowski  
SUSAN K. PINKOWSKI