Exhibit C Certificate of Title

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Exhibit D Supplemental Response to First Set of Special Interrogatories

1	Adam Q. Voyles - (Admitted Pro Hac Vice)		٠
2	HEARD, ROBINS, CLOUD & LUBEL LLP 3800 Buffalo Speedway, Fifth Floor		
3	Houston, Texas 77098 Tel: (713) 650-1200, fax (713) 650-1400		
4	avoyles@heardrobins.com		
5	Ira Spiro - State Bar No. 67641 Dennis F. Moss - State Bar No. 77512		
6	J. Mark Moore - State Bar No. 180473 SPIRO MOSS BARNESS LLP		
7	11377 W. Olympic Boulevard., Fifth Floor Los Angeles, CA 90064-1683		
8	(310) 235-2468, fax (310) 235-2456 ira@spiromoss.com		
9	dennisfmoss@yahoo.com mark@spiromoss.com		
10	Attorneys for Plaintiffs and all others similarly	v situated	
11			
12	SUPERIOR COURT O	OF THE STATE OF CALIFORNIA	
13	COUNTY OF LOS AN	IGELES, CENTRAL CIVIL WEST	
14	La RONDA HUNTER, ROSANA N.) CASE No. BC 324622	
15	PULGARIN and ROBIN GONZALES on behalf of themselves and on behalf of all) [Assigned to Hon. Anthony J. Mohr, Dept. 309]	
16	others similarly situated and the general public.	}	
17	Plaintiffs,	 LA RONDA HUNTER'S <u>SUPPLEMENTAL</u> RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATORIES)F
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19	v.) [SET ONE]	
20) Complaint Filed: November 16, 2004	
21	GENERAL MOTORS CORPORATION and) Trial Date: Not Set Yet	
22	DOES 1 through 100,		
23	Defendants.		
24			
25	PROPOUNDING PARTY: GENER.	AL MOTORS CORPORATION	
26	RESPONDING PARTY: LA RON	VDA HUNTER	
27	SET NO: ONE (1)		
28	SELIO: ONE (1)		
		-l-	
	La RHONDA HUNTER	S SUPPLEMENTAL RESPONSE	

TO FIRST SET OF SPECIAL INTERROGATORIES

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 Plaintiff has not completed her investigation of the facts relating to this case or discovery in this action and has not completed preparation for trial on the merits of Plaintiff's claims. Plaintiff's responses are limited to such information that is presently and specifically known to Plaintiff. If additional information is subsequently discovered which would require a change in response, the responses will be amended as may be appropriate. It is also anticipated that further discovery, independent investigation, legal research and analysis may supply additional facts, add meaning to known facts as well as establish entirely new factual matters, conclusions and legal contentions. The following responses are given without prejudice to Plaintiff's right to produce evidence of subsequently discovered information.

GENERAL OBJECTIONS AND QUALIFICATIONS

Plaintiff objects to Defendant's First Set of Interrogatories and qualifies her responses thereto on each of the following grounds:

- 1. Plaintiff objects to these Interrogatories to the extent they attempt to impose obligations on Plaintiff other than those imposed or authorized by the California Code of Civil Procedure and/or any applicable order of this Court.
- 2. Plaintiff objects to these Interrogatories on the grounds that they are premature in that discovery is ongoing and incomplete and that Defendant has not produced documents or information in response to Plaintiff's discovery and that Plaintiff has not yet taken the depositions of Defendants employees and/or person(s) most qualified to testify concerning matters related to the merits of Plaintiff's claims.
- 3. Plaintiff further objects to these Interrogatories to the extent they seek information equally available to Defendant and/or the information sought is more readily available to Defendant than to Plaintiff.
- 4. Plaintiff objects to each interrogatory to the extent it seeks private information protected by rights of privacy under California or federal law.
 - 5. Plaintiff objects to each interrogatory to the extent it seeks information that is not within

 Plaintiff's possession, custody, control or knowledge.

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- 6. Plaintiff's objections and responses are made without waiving the right to object to the use of any response on the grounds of relevance, materiality, hearsay or any other appropriate ground.
- 7. Plaintiff reserves the right to revise, correct, clarify or supplement any of these responses at any time. Plaintiff and her counsel have not completed their investigation, analysis or discovery related to this case. The responses contained herein are based on Plaintiff's knowledge and the information and documents in her possession, custody and control. Plaintiff anticipates that further discovery, investigation, legal research and analysis could supply additional responsive information.
- 8. These General Objections are incorporated into each of the following Interrogatories, and the General Objections shall be deemed continuing as to each Interrogatory and are not waived, or in any way limited, by the following objections and responses.

Subject to the aforementioned objections, Plaintiff responds as follows:

SPECIFIC OBJECTIONS AND SUPPLEMENTAL RESPONSES TO INTERROGATORIES:

- INTERROGATORY NO. 1: State whether you own or lease one or more Subject Vehicles. If you do own or lease one or more Subject Vehicles, state, with respect to each Subject Vehicle owned or leased, the circumstances under which you acquired the vehicle, including, but not limited to:
- a. the model and model year of the vehicle, the Vehicle Identification Number ("VIN") of the vehicle, the current odometer reading on the vehicle and the name of the present registered owner and principal driver(s):
- b. whether you acquired the vehicle by purchase, lease, gift, trade, or otherwise, whether the vehicle was purchased, leased, or otherwise acquired new or used, the date that you acquired the vehicle, the person in whose name the vehicle was purchased, leased, or otherwise acquired, and the odometer reading on the vehicle on the date that you acquired it;
- c. the name and address of the individual or entity from whom you acquired the vehicle;
- d. the price that you paid to acquire the vehicle, the financing terms, if any, of your purchase or lease, whether you traded in another vehicle with the seller at the time of your acquisition of the Subject

Vehicle, and if so, identify that vehicle by make, model and year, and the amount you were credited in trade for the vehicle.

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SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 1:

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Objection. Plaintiff objects that this interrogatory is improperly compound, conjunctive and disjunctive and contains subparts in violation of CCP § 2030,060(f), which forbids special interrogatories from containing subparts and compound, conjunctive or disjunctive questions. For these reasons the interrogatory also is unlawful, overbroad, unduly burdensome and intentionally harassing. Plaintiff objects to Defendant's purported "Definitions and Instructions" section on the ground that it is prohibited by CCP § 2030.060(d), which states that "[e]ach interrogatory shall be full and complete in and of itself. No preface or instruction shall be included with a set of interrogatories unless it has been approved under Chapter 17 (commencing with Section 2033.710)." Plaintiff regards Defendant's "Definitions and Instructions" as null and void and her responses, if any, will be based on a reasonable construction of the terms used and the questions posed based on common usage in the English language. Further objection is made that Defendant's effort to impose a continuing duty to supplement, contained in the "Definitions and Instructions" section, violates CCP § 2030.060(g), which states that "[a]n interrogatory may not be made a continuing one so as to impose on the party responding to it a duty to supplement an answer to it that was initially correct and complete with later acquired information." Plaintiff further objects that the term "Subject Vehicle" is vague and ambiguous and not defined in this interrogatory, rendering this interrogatory in violation of CCP § 2030.060(d) and (e), the latter of which states that "[a]ny term specially defined in a set of interrogatories shall be typed with all letters capitalized wherever that term appears." Objection is also made that certain of the information requested is not relevant to the subject matter or reasonably calculated to lead to the discovery of admissible evidence, and the interrogatory is thus overbroad. Plaintiff also objects to the extent that certain of the information requested is protected by rights of privacy under California or federal law. Objection is further made on the ground that certain of the information requested is equally available to Defendant or already in Defendant's possession.

Subject to and without in any way waiving the foregoing objections, Plaintiff responds as

follows: Assuming that the term "Subject Vehicle" has the same meaning that term has in Plaintiff's operative Complaint, Plaintiff does own a "Subject Vehicle." Specifically, Plaintiff owns a 2001 GMC Yukon with Vehicle Identification Number 1GKEC13T71J201855. The current odometer reading is 90,499. The registered owner is La Ronda Hunter. The principal driver is La Ronda Hunter.

Supplementing her response subject to the aforementioned objections, Plaintiff states: The Yukon was purchased "new" as a demonstration vehicle, with approximately 1,800 miles on the odometer. There was no trade-in. The purchase price, as stated elsewhere in Plaintiff's discovery responses, was approximately \$33,000. Plaintiff believes she purchased it at Justice Auto in Carson, CA.

INTERROGATORY NO. 3: For each Subject Vehicle identified in response to Interrogatories No. 2 and No. 3 above, state the nature of any and all work performed on the vehicle(s) including, but not limited to, modifications, additions, repairs and maintenance, and identify any and all documents relating to said work performed.

SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 3:

Objection. Plaintiff objects that this interrogatory is improperly compound, conjunctive and disjunctive, and contains subparts in violation of CCP § 2030.060(f), which forbids special interrogatories from containing subparts and compound, conjunctive or disjunctive questions. For these reasons the interrogatory also is unlawful, overbroad, unduly burdensome and intentionally harassing. Plaintiff objects to Defendant's purported "Definitions and Instructions" section on the ground that it is prohibited by CCP § 2030.060(d), which states that "[e]ach interrogatory shall be full and complete in and of itself. No preface or instruction shall be included with a set of interrogatories unless it has been approved under Chapter 17 (commencing with Section 2033.710)." Plaintiff regards Defendant's "Definitions and Instructions" as null and void and her responses, if any, will be based on a reasonable construction of the terms used and the questions posed based on common usage in the English language. Further objection is made that Defendant's effort to impose a continuing duty to supplement, contained in the "Definitions and Instructions" section, violates CCP § 2030.060(g), which states that "[a]n

interrogatory may not be made a continuing one so as to impose on the party responding to it a duty to supplement an answer to it that was initially correct and complete with later acquired information." Plaintiff further objects that the term "Subject Vehicle" is vague and ambiguous and not defined in this interrogatory, rendering this interrogatory in violation of CCP § 2030.060(d) and (e), the latter of which states that "[a]ny term specially defined in a set of interrogatories shall be typed with all letters capitalized wherever that term appears." Objection is also made that certain of the information requested is not relevant to the subject matter or reasonably calculated to lead to the discovery of admissible evidence, since it unreasonably asks for information regarding all work performed on a vehicle(s) over a period of many years without any connection to the issues in this case and could thus encompass work, repairs and "maintenance" such as routine oil changes, tune-ups, car washes, headlamp exchanges, etc. The interrogatory is thus overbroad, unduly burdensome and harassing.

Subject to and without in any way waiving the foregoing objections, Plaintiff states as follows: Her defective parking brake system was replaced in April 2005. See also Plaintiff's Response to Interrogatory No. 14 below, as well as her response to Form Interrogatory No. 7.3.

Further responding pursuant to the parties' "meet and confer" agreements and limitations regarding the scope of this interrogatory, Plaintiff states that before the defective parking brake system was replaced in April 2005, Plaintiff took the Yukon to a GM dealer (Power Chevrolet) located at 14800 Hindry, in Hawthorne. CA in October 2004 because her ABS light was staying on. The problem was corrected at no charge to Plaintiff. As reflected in the repair records previously produced by Plaintiff with bates-numbers P3021-3022, it appears the dealer made repairs to a shorted module to correct the problem. Plaintiff does not recall having any repairs to, or noticeable problems with, her vehicle's transmission.

DATED: November 1, 2008

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SPIRO MOSS BARNESS LLP

Bv:

Attorneys for Plaintiffs La RONDA HUNTER, ROSANA N. PULGARIN, ROBIN GONZALES and all others Similarly Situated

VERIFICATION

I am a party to this action. I either have personal knowledge that the answers in the attached Plaintiff La Ronda Hunter's Supplemental Response to Defendant's First Set of Interrogatories are true, or, to the extent I lack such personal knowledge with respect to certain answers, I believe that those answers are true.

Dated: 11-14-2008

Bahonda Hunter

PROOF OF SERVICE HUNTER v. GENERAL MOTORS CORPORATION CASE NO. BC 324622

I am over the age of eighteen years and not a party to the within action. My business address is 11377 W. Olympic Blvd., 5th Floor, Los Angeles, CA 90064-1683. I am employed at that address at the firm of Spiro Moss Barness LLP.

On the date set forth below I served the document(s) described as PLAINTIFF LA RONDA HUNTER'S SUPPLEMENTAL RESPONSE TO DEFENDANT'S FIRST SET OF INTERROGATORIES on all the interested parties in this action, by placing: [] the original [xx] true copies thereof enclosed in sealed envelopes, addressed as follows, which addresses are the addresses last given by the respective addressees on any document filed in the above case and served on Spiro Moss Barness LLP:

9 J. Andrew Langan Brian P. Kavanaugh 10 KIRKLAND & ELLIS LLP 200 East Randolph Drive 11 Chicago, IL 60601 Phone: 312.861.2000 12 Fax: 312.861.2200 alangan@kirkland.com 13 bkavanaugh@kirkland.com

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Pantea Yashar KIRKLAND & ELLIS LLP 777 S. Figueroa St., #3700 Los Angeles, CA 90017 Phone: 213.680.8400 Fax: 213.680.8500 pyashar@kirkland.com

- BY MAIL (Pickup): I am readily familiar with this firms's practice of collection and processing correspondence for mailing with the United States Postal Service. On the date set forth below, at the firm of Spiro Moss Barness LLP at the above address, I placed the envelope(s) containing said document(s), sealed, for collection and mailing on that date with the United States Postal Service following ordinary business practices. Under the abovementioned practice of Spiro Moss Barness LLP, the above document(s) would be deposited with the United States Postal Service on that same day in the ordinary course of business, with postage thereon fully prepaid at Los Angeles, California.
- BY MAIL (Drop Off): On the date set forth below I deposited such envelope(s), in a 19 mailbox regularly maintained by the U.S. Postal Service in Los Angeles County, California. The envelope(s) was/were deposited with postage thereon fully prepaid.
 - BY EXPRESS MAIL: On the date set forth below I deposited such envelope(s) in an Express Mail mailbox, maintained by the U.S. Postal Service for receipt of Express Mail in Los Angeles County, California. The envelope(s) was/were deposited with Express Mail with postage thereon fully prepaid.
 - BY METHOD OF DELIVERY PROVIDING FOR OVERNIGHT DELIVERY: On the 13 date set forth below I deposited such envelope(s) in a box or other facility regularly maintained by the express service carrier, or delivered such envelope(s) to an authorized courier or driver authorized by the express service carrier to receive documents, with delivery fees paid or provided for. The envelope was an envelope or package designated by the express service carrier.
 - BY PERSONAL SERVICE: I personally caused said document(s) on the date set forth below, inside the envelope(s) clearly labeled to identify the attorney(s) to be served, at the offices of the attorney(s) listed above, at the address(es) listed above, with a receptionist or other person having charge of the office(s), between the hours of 9:00 a.m. and 5:00 p.m.

1 2 3	BY FACSIMILE On the date set forth below, I transmitted the above document(s) from facsimile machine number (310) 235-2456, in compliance with transmission as provided in California Rule of Court 2008. The fax number(s) that I used are shown above or on the attached Service List, along with the names of recipients and the interested parties. The Facsimile Machine I used complied with California Rule of Court 2003(3). The transmission was reported as complete and without error by the machine, which properly issued the transmission report.
5	[X] BY ELECTRONIC TRANSMISSION: On the date set forth below I caused to be transmitted the document(s) listed above to the above email address(s) before 6:00 p.m.
7	[X] (STATE) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.
8	[] (FEDERAL) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.
9	Executed at Los Angeles County, California, on November 14, 2008.
10	Executed at Los rangoles County, Camornia, on November 142000.
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Exhibit E Letter from I. Spiro to R. Lutz dated January 12, 2005

SPIRO MOSS BARNESS HARRISON & BARGELLP

Attorneys at Law

11377 W. Olympic Boulevard • Fifth Floor • Los Angeles, California 90064-1683 Telephone (310) 235-2468 • Fax (310) 235-2456

January 12, 2005

Robert A. Lutz
Vice Chairman, Product Development
Chairman, GM North America
General Motors Corporation
300 Renaissance Center Drive
Detroit, MI 48265

General Motors Corporation 39465 Paseo Padre Parkway Fremont, CA 94538-5350.

to both addresses by Certified Mail, return receipt requested and by service on agent for service

Dear Mr. Lutz and General Motors:

This office represents LaRonda Hunter of California, the owner of one of the following vehicles: 2002-2003 Cadillac Escalade and Escalade EXIST, 1999-2003 Chevrolet Silverado 1500 Series Pickups, 2000-2003 Chevrolet Tahoe 1500 Series Models, 2002-2003 Chevrolet Avalanche 1500 Series Models, 1999-2003 GMC Sierra 1500 Series Pickups, and 2000-2003 GMC Yukon 1500 Series Models.

The vehicle owned by Ms. Hunter, and all the other vehicles referred to above, have a defect in their rear brake systems, and had the defect at the time of their initial retail sales, and at all times thereafter. Among other things, there is no provision, or insufficient provision, for self-centering the parking brake shoe within the brake drum, which causes the brake linings to make prolonged contact with the drum while driving, causes the lining to wear out, and thus causes the parking brake system and major portions of the rear service brake system to have to be repaired and replaced, and causes the brakes to be unsafe.

In transactions intended to result in the sale and leasing of these vehicles to consumers, which did result in the sales and leasing of them to consumers, General Motors did the following. General Motors represented that these vehicles had characteristics that they did not have, including that they were or would be free from defects when sold and that they were safe. General Motors also represented that the vehicles were of standards, qualities, and grades that they were not, including that they were or would be free from defects when sold and that they were safe. General Motors also advertised the vehicles with the intent not to sell them as advertised, including that they were or would be free from defects when sold and that they were safe.

Spiro Mose Barness Harrison & Barge LLP to Robert A. Lutz, General Motors Corporation January 12, 2005 Page 2

Demand is hereby made that General Motors (a) repair, replace and correct the defect in the parking brake systems of these vehicles, and (b) replace the portions of their rear service brake systems that must be replaced when the parking brake systems are repaired or replaced. It is demanded that General Motors do these things in such a way that the owners and lessees of these vehicles bear no charges or expenses.

Sincerely,

Ira Spiro

SUMMONS on Complaint (CITACION JUDICIAL) NOTICE TO DEFENDANT: (AMSO AL DEMANDADO): GENERAL MOTORS CORPORATION and DOES 1 through 100, JAN 1 4 2805 YOU ARE BEING SUED BY PLAINTIFF: (LOESTA DEMANDADO) EL DEMANDANO EL DEMANDANTE): LARONDA HUNTER, on behalf of horself and on behalf of all others similarly situeted and the general public, You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the pishelf. A letter or phone call will not protect you. Your written response must be it proper legal form if you want the court to hear your cest. There may be a court form that you can use for your response. You can find these court forms and more understand to Callona Courts behalf and they want to call an attempt replace or comply ber finder, you may be supposed. The case by default, and your wages, money, and property may be taken without further wanting from the court. There are color legal requirements. You may want to call an attempt replace way. If you do not know an attempt, you may want to call an attempt replace with be supposed, and your wages, the callifornia Courts on horse these enough of groups at the Callifornia Legal Services Web site (www.adv.phcalfornia.y), the Callifornia Courts Online Self-Help Center (www.courtifice.cg.gov/selffielp), or by contacting your local court or county bar association. There 20 DAS DE CALENDARIO despute 6 at you fee carriegene ests clinically paperles legals part prosenting, you may want to call an estimate of the case of			
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NOTICE TO DEFENDANT: (AVISO ÂL DEMANDADO): GENERAL MOTORS CORPORATION and DOES 1 through 100, JAN 1 4 2005 YOU ARE BEING SUED BY PLAINTIFF: (LO ESTA DEMANDANDO EL DEMANDANTE): LARONDA HUNTER, on behalf of herself and on behalf of all others similarly situated and the general public, You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal from it you want the court to heart your cress. There may be a court form that you can use for your response. You can fill the court form that you can the for your response. You can fill more court form that you can the form of the court to heart your cress. There may be a court form that you can use for your response. You can fill more protect your your response. You can fill may not not may be carried to the case by default, and your wages, money, and property may be taken without further warning from the court. There are other legal requirements. You may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for five legal services from a nonprofit legal services for program. You can float in the your state of the case of the respectation of the program of the case of the region of the court of the program of the case of the region of the court of the program of the case of the region of		SUMMONS on Complaint	FOR COURT USE ONLY
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ascrito tione que estar en formato legal correcto si desga que processen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de las Cortes de California (www.courtinfo.ca.govisetine)/ispanol/), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pegar la cuota de presentación, plata al secretario de la corte que le dú un formulario de exención de pago de cuotas. Si no puede pegar la cuota de presentación, plata al secretario de la corte que le dú un formulario de exención de pago de cuotas. Si no prasenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte te podrá quitar su sueldo, dinero y bienes sin más advertencia. Hay otros requisitos legales. Es recomendable que tama a un abogado inmediatamente. Si no conoce a un abogado, puede liamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que cumpla con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales sin fines de bucro. Prode encontrar estos grupos sin fines de bucro en el sitio web de California Legal Services, (www.lawhelpealifornia.org), en el Centro de Ayuda de las Cortes de California, (www.courtinfo.ca.govisalihelplespanol) o poniéndose en contacto con la corte o el colegio de abogados locales. C. 7.24.0.2.2. The name and address of the court is: (El nombre y dirección de la corte es): Superior Court, County of Los Angeles Los Angeles, CA 90012 Central District The name, address, and telephone number of plaintiffs attorney, or plaintiff without an attorney, is: (El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es): Ira Spiro, SBN 67641 SPIRO MOSS BARNESS HARRISON & BARGE ILP 11377 W. Olympic Blvd. Los Angeles, CA 90064 JOHA Cierke (Cierk, by Cierk, by Cierk, by Cierk, by Cierk, by Cierk, by Cierk esta su contact	1	Tione 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles le	gales para presentar una respuesta por escrito
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DATE: NOV 1 6 2004 JOHN A. Clarke Clerk, by S. Gabb (Adjunto)		1 1 - ON CACA	
(1 POINT)		NOV 10 30% JOHN A Clork by	.Deputy
		18) NUY TO COURT . Secretarial	(Adiunto)
		proof of service of this summons, use Proof of Service of Summons (form POS-010).)	

	esta citation use el formutario Proof of Service of Summons, (POS- esta citation use el formutario Proof of Service of Summons, (POS- NOTICE TO THE PERSON SERVED; You are served 1 as an individual defendant. 2 as the person sued under the fictitious name of (speci	
	3. 🗷 on behalf of (specify): GENERAL MOTORS	CORPORATION
	under: CCP 416.10 (corporation) CCP 416.20 (defunct corporation) CCP 416.40 (association or partnership)	CCP 416.60 (minor) CCP 416.70 (conservatee) CCP 416.90 (authorized person)
<u> </u>	other (specify):	P200 1

Form Adopted for Mandulary Lieo Judicial Council of California SUM-100 (Rev. January 1, 2004)

SUMMONS

Legal Solutions & Plus Fago 1 of 1 Code of Civil Procedure §§ 412.20, 465

ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar a	malus and address):	FOR COURT USE ONLY
Ira Spiro, SBN 67641	ensured and analysis	
SPIRO MOSS BARNESS HARRISON	£ BARGE LLP	· .
11377 W. Olympic Blvd.	a cition and	· 1
5th Floor		- mm/s 0000007
Los Angeles, CA 90064		CONFORMED COPY
	FAXND: (310) 235-2456	OF OF MINAL PLAN
Телерномено: (310) 235-2468	FAXND: (310) 233-2436	Los Asgens Superes Court
ATTORNEY FOR Name: LaRonda Hunter		- 108 Wilders order
SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS	y Wuderea	U-014 & A 200A
STREET ADDRESS: 111 North Hill St	reet, Room 102	NOV 1 6 2004
MAUNG ADDRESS:	2010	
CITY AND ZIP CODE LOS Angeles, CA	0017	John A. Clarké, Executive Office//Olerk
BRANCH NAME: CENTRAL		- Deputy
CASE NAME: HUNTER V. GENERAL	MOTORS	by sus cass
CIVIL CASE COVER SHEET	Complex Case Designation	CASE NUMBER BC324622
× Unlimited Limited	Counter Joinder	-0327022
(Amount — (Amount)	Fited with first appearance by defendant	JUDGE
demanded demanded is exceeds \$25,000 \$25,000 or less)	(Cal. Rules of Court, rule 1811)	DEPT.:
	elow must be completed (see Instruction	s on page 2).
1. Check one box below for the case type that	best describes this case:	· .
Auto Tort	Contract	Provisionally Complex Civil Litigation
Auto (22)	Breach of contract/warranty (06)	(Cal. Rules of Court, rules 1800–1812)
Uninsured motorist (46)	Collections (09)	' ' '
Other PI/PD/WD (Personal Injury/Property	<u> </u>	Antitrust/Trade regulation (03)
Damage/Wronglul Death) Tort	Insurance coverage (18)	Construction defect (10)
	Other contract (37)	Mass tort (40)
Asbestos (04)	Real Property	Securities stigation (28)
Product liability (24)		Environmental/Toxic tort (30)
Medical malpractice (45)	Eminent domain/Inverse	
Other PVPD/WD (23)	condemination (14)	Insurance coverage claims arising from the
The state of the s	Wrongful eviction (33)	above listed provisionally complex case
Non-PI/PD/WD (Other) Tort-	Other real property (26)	types (41)
Business tort/unfair business practice (07)	calculated biology (25)	Enforcement of Judgment
Civil rights (08)	Unlawful Detainer	Enforcement of judgment (20)
Defamation (13)	Commercial (31)	1
1 ===	Residential (32)	Miscellaneous Civil Complaint
Fraud (16)	· · ·	RICO (27)
Intellectual property (19)	Druge (38)	Other complaint (not specified above) (42)
Professional negligence (25)	Judicial Review	
Other non-Pt/PD/WD tort (35)	Asset forfeiture (05)	Miscellaneous Civil Petition
Employment	Petition re: arbitration ewerd (11)	Partnership and corporate governance (21)
	Writ of mendate (02)	Other petition (not specified above) (43)
Wrongful termination (36)		
Other employment (15)	Other Judicial review (39)	3
2. This case X is is complex	cunder and 1900 of the California Bules	of Court. If case is complex, mark the factors
requiring exceptional judicial management:	differ the room or are contained trained	of court is ceso is complex, main the racions
		. . .
a. Large number of separately represe		•
 b. Extensive motion practice raising different control 	ficult or novel e Coordination with	related actions pending in one or more courts
ssues that will be time-consuming to	resolve in other countles.	, states or countries, or in a federal court
c. Substantial amount of documentary		judgment judicial supervision
3. Type of remedies sought (check all that apply	at maried in the constant to the	be-2 - er lenden anhersioler
a. Lx monetary b nonmonetary;	declaratory or injunctive relief c.	punitive
4. Number of causes of action (specify): 4		
	action suit.	(, ;
Date: November 15, 2004	/	
) /.	1 .
Ira Spiro, SBN 67641		
(TYPE OR PRINT NAME)		THE OF PARTY PRATTORNEY FOR PARTY
	NOTICE	
 Plaintiff must file this cover sheet with the first 	paper filed in the action or proceeding (except small claims cases or cases filed
under the Probate, Family, or Welfare and Ins	dilutions Code), (Cal. Rules of Court. rule	201.8.) Failure to file may result in
sanctions.	,	
· File this cover sheet in addition to any cover s	theet required by local court rule.	
 If this case is complex under rule 1800 et sea 	of the California Rules of Court, you mu	ist serve a copy of this cover sheet on all
other parties to the action or proceeding.		
 Unless this is a complex case, this cover shee 	et shall be used for statistical purposes o	ภโy Page 1 of 2
Famil Adopted for Mandatory Line	CIVIL CASE COVER SHEET	T Col. Rivies of Court, rules 291,8, 1800 -1812;
Judicial Council of Cultionia CAL-030 (Rov. July 1, 2003)		SOLUTIONS Standards of Judicial Administration, § 19
	•	Co Phis
		- - ·

		
SHORT TITLE:	CASE HUMBER	
HUNTER V. GENERAL MOTORS		BC324622

	(CERTI	FICATE OF GROUNDS FOR ASSIGNMENT TO COURTHOUSE	LOCATION)
This		suant to LASC Local Rule 2.0 in all new civil case filings in the Los	
Item JUR Item Step the le Step Step	I. Check the types of hex TRIAL? YES CLAS II, Select the correct dis 3 1: After first completing the margin below, and, to 2 2: Check one Superio 3 3: In Column C, circlenty exception to the cou	earing and fill in the estimated length of hearing expected for this case: s action? Yes Limited Case? Yes Time Estimated For Trial strict and courthouse location (4 steps — If you checked "Limited Case", sing the Civil Case Cover Sheet Form, find the main civil case cover sheet to the right in Column A, the Civil Case Cover Sheet case type you select or Court type of action in Column B below which best describes the nature the reason for the court location choice that applies to the type of action introcation, see Los Angeles Superior Court Local Rule 2.0.	HOURS JAPAYS. sip to Item fil, Pg. 4): heading for your case in ed. re of this case. I you have checked.
Step	4: Fill in the information	on requested on page 4 in Item III; complete Item IV. Sign the declaration	n
E	A Givil Case Cover Sheet Category No.	B Type of Action (Check only one)	C Applicable Ressons - See Step 3 Above
Auto Tart	Auto (ZZ)	A7100 Motor Vehicle - Personal Injury/Property Damage/Wrongful Death	1., 2., 4.
A	Uninsured Molorist (46)	☐ A7110 Personal Injury/Property Damage/Wrongful Death — Unincured Motorist	1., 2., 4.
งน ใ	Asbestos (04)	A6070 Asbestos Property Damage A7221 Asbestos - Personal Injury/Wrongful Death	2.
eath T	Product Lieblity (24)	A7260 Product Liability (not asbestos or toxic/environmental)	1., 2., 3., 4., 8.
ongful D	Medical Majoractice (45)	A7210 Medical Malpractice - Physicians & Surgeons A7240 Other Professional Fleath Care Malpractics	1., 2., 4. 1., 2., 4, :
Damage/Wrongful Death Torn	Other Personal Injury Property Damage Wrongful Deeth (23)	A7250 Premises Liability (e.g., stip and fall) A7230 Intentional Bodily Injury/Property Demage/Wrongful Death (e.g., assault, vandallem, etc.) A7270 Intentional Infliction of Emotional Distrass	1, 2, 4. 1, 2, 4. 1, 2, 3.
· [A7220 Other Personal Injury/Property Demage/Wrongful Death	12.,4.
h Tori	Business Tort (07)	A5029 Other Commercial/Business Tort (not fraud/breach of contract)	1.,2.,3.
Deat	Civil Rights (08)	A6005 Civil Rights/Discrimination	1., 2., 3.
Damage/Wrongful Death Tor	Defamation (13)	A6010 Defamation (stander/libel)	1,, 2,, 3.
e/Wr	Fraud (16)	A8013 Fraud (no contract)	1., 2., 3.
amag	Intellectual Property (19)	☐ A6016 Intellectual Property	2.3.

Applicable Reasons

See Step 3 Above

1.. 2.. 3.

1., 2., 3.

1.. 2., 3.

1., 2., 3.

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1, 2, 3, 5. 1, 2, 3, 5. 1)2, 3, 8.

2.3.

Non-Personal Injury/Property Damage/ Wrongful Death Tort (Conf.d.) CASE HUNDER SHORY TITLE: HUNTER V. GENERAL MOTORS Civil Case Cover Type of Action (Check only one) Sheet Category No. A8017 Legal Malpractice Professional Negligence A6050 Other Professional Malpractice (not medical or legal) (25)A6025 Other Non-Personal Injury/Property Damage lort Olher (35) Employment Wrongful Termination A5037 Wrongful Termination Other Employment A8024 Other Employment Complaint Case (15) A6109 Labor Commissioner Appeals Breach of Contract/ ASSO4 Breach of RentaliLease Contract (not Unlawful Detainer or wrongful eviction) Warranty ASOO6 Contract/Warranty Breach -Seller Plaintiff (no fraud/negligence) (06)(not insurance) A6019 Negligent Breach of Contract/Watranty (no fraud) A6028 Other Breach of Contract/Warranty (not freud or negligence) A6002 Collections Case-Seller Plaintiff Collections (09) A6012 Other Promissory Note/Collections Case Insurance Coverage A5015 Insurance Coverage (not complex) (18) Other Contract (37) A6009 Confractual Fraud A8031 Tortious Interference A6027 Other Contract Dispute(not breach/insurance/fraud/negligence) **Eminent** A7300 Eminent Domain/Condemnation Number of parcels_ Domein/Inverse Condemnation (14) Property Wrongful Eviction A6023 Wrongfut Eviction Case (33) Real ☐ A6018 Mortgage Forectosure Other Real Property (28) A6032 QuietTitle ASOGO Other Real Property(not eminent domain, lendlord/tenant, foreclosure) Unlawful Detainer Uniawiui Delainer-A6021 Unlawful Detainer-Commercial (not drugs or wrongful eviction) Commercial (31) Unlawful Detainer-A6020 Unlawful Detainer-Residential (not drugs or wrongful eviction) Residential (32) Unlawful Detainer-A6022 Unlawful Detainer-Drugs Drugs (38) Judicial Review Asset Forfeiture (05) A6108 Asset Forfellure Case Petition to Arbitration (11) A6115 Petition to Compel/Confirm/Vacate Artitration

CIV 109 03-04 LASC Approved CIVIL CASE COVER SHEET ADDENDUM AND STATEMENT OF LOCATION

LASC, rule 2.0

Page 2 of 4

CASE MUMBER SHORT TITLE: HUNTER V. GENERAL MOTORS Judicial Review (Cont'd.) Applicable Reasons -Type of Action Civil Case Cover Sheet See Step 3 Above (Chack only one) Category No. 2.8. A6151 Writ - Administrative Mandemus Writ of Mandate A6152 Writ - Mandamus on Limited Court Case Matter 2, A8153 Writ - Other Limited Court Case Raview (02)2. Other Judicial Review (39) 2., 8. A6150 Other Writ Aludicial Review Antitrust/Trade 1., 2., 8. A8003 Antiquest/Trade Regulation Regulation (03) Provisionally Complex Litigation Construction Defect (10) 1,, 2,, 3, A6007 Construction defect Claims Involving Mass Tort (40) 1., 2., 8. A8006 Claims involving Mass Tort Securities Litigation (28) A6035 Securifies Litigation Case 1., 2., 8. **Toxic Tort** 1., 2., 3., 8. ☐ A6036 Toxic Tort/Environmental Environmental (30) Insurance Coverage Claims from Complex A8014 Insurance Coverage/Subrogation (complex case only) 1., 2., 5., B. Case (41) 2.9. A6141 Sister State Judgment Enforcement of Judgment 2., 6, A6160 Abstract of Judgment Enforcement of Judgment A6107 Confession of Judgment (non-domestic relations) 2, 9. (20)A6140 Administrative Agency Award (not unpaid taxes) 2, 8. ☐ A6114 Petition/Certificate for Entry of Judgment on Unpaid Tax 2., 6. A6112 Other Enforcement of Judgment Case 2_ 8., 9. Miscellaneous Civil Compleints RICO (27) A8033 Racketeering (RIÇO) Case 1_2_8. 1., 2., 8. A8039 Declaratory Relief Only Other Complaints (Not Specified Above) A5040 Injunctive Relief Only (not domesticherassment) 2., 8. A6011 Other Commercial Complaint Case (non-tort/non-complex) 1 2 8. (42)A6000 Other Civil Complaint (non-tertinon-complex) 1,2,8. Partnership Corporation Governance(21) A6113 Partnership and Corporate Governance Case 2., 8. Petitions A6121 Clivi Harassment 2., 3., 9. A6123 Workplace Harassment 2., 3., 9. Miscellaneous Civil A6124 Elden/Dependent Adult Abuse Case 2, 3, 9. Other Pelitions (Not Specified Above) A6190 Election Contest 2 A8110 Petition for Change of Name (43) 2. 7. A6170 Petition for Relief from Late Claim Law 2., 3., 4., 8. A8100 Other Civil Petition 2, 9,

CIV 109 03-04 LASC Approved CIVIL CASE COVER SHEET ADDENDUM
AND STATEMENT OF LOCATION

LASC, rule 2.0 Page 3 of 4

SHORT TITLE:	CASE NUMBER
HUNTER V. GENERAL MOTORS	

Item III. Statement of Location: Enter the address of the accident, party's residence or place of business, performance, or other circumstance indicated in Item II., Step 3 on Page 1, as the proper reason for filing in the court location you selected.

REASON: CHECK THE NU WHICH APPUIS			ADDRESS: 111 N. Hill Street
Ø1. □2. □3. □4.□5.□ 6	. 7 [8.[⊒9.□10.	
om: Los Angeles	STATE: CA	ZIP COD€: 90012	

Item IV. Declaration of Assignment: I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct and that the above-entitled matter is properly filed for assignment to the Etanley Hoek courthouse in the Central District of the Los Angeles Superior Court (Code Civ. Proc., § 392 et seq., and LASC Local Rule 2.0, subds. (b), (c) and (d)).

Dated: November 2, 2004

(AGNATURE OF ATTOPHEYIFILING PARTY)

PLEASE HAVE THE FOLLOWING ITEMS COMPLETED AND READY TO BE FILED IN ORDER TO PROPERLY COMMENCE YOUR NEW COURT CASE:

- 1. Original Complaint or Petition.
- 2. If filing a Complaint, a completed Summons form for issuance by the Clerk.
- 3. Civil Case Cover Sheet form JC 982.2(b)(1).
- 4. Complete Addendum to Civil Case Cover Sheet form CIV 109 03-04 (eff. Date).
- 5. Payment in full of the filing fee, unless fees have been waived.
- Signed order appointing the Guardian ad Litem, JC form 982(a)(27), if the plaintiff or petitioner is a minor under 18 years of age, or if required by Court.
- Additional copies of documents to be conformed by the Clerk, Copies of the cover sheet and this addendum must be served along with the summons and complaint, or other initiating pleading in the case.

NOTICE OF CASE ASSIGNMENT LOS ANGELES SUPERIOR COURT

BC324622

CASE NUMBER

THIS FORM IS TO BE SERVED WITH THE SUMMONS AND COMPLAINT

Your case is assigned for all purposes to the judicial officer Indicated below. There is additional information on the reverse side of this form.

torm.		
ASSIGNED JUDGE	DEPT	ROOM
Hon. Gregory Alarcon	36	410
Hon. Helen I. Bendix	18	308
Hon. Elihu M. Berle	42	416
Hon, Soussan Bruguera	71	729
Hon. Susan Bryant-Deason	52	510
Hon, Alan Buckner	14	300
Hon. James C. Chalfant	13	630
Hon. Judith C. Chirlin	89	532
Hon. Rolf M. Treu	58	516
Hon. J. Stephen Czuleger	50	508
Hon. Relph W. Dau	57	517
Hon, James R. Dunn	26	316
Hon. Lee Edmon	68	617
Hon. Emilie H. Elias	3	224
Hon. Irving Feffer	51	511
Hon, Edward A. Ferns	69	621
Hon. Joanne O'Donnell	37	413
Hon. Kenneth R. Freeman	64	601
Hon. Haley J. Fromholz	20	310
Hon. Richard Fruin	15	307.
Hon. Elizabeth A. Grimes	30	400
Hon. Paul Gutman	34	408
Hon.Teresa Sanchez-Gordon	74	735
Hon. Robert L. Hess	24	314
Hon. William Highberger	32	406
Hon, Ernest Hiroshige	54	512

	ASSIGNED JUDGE	DEPT	ROOM
	Hon. William F. Pahey	78	730
	Hon. Richard C. Hubbell	62	600
	Han. Jane Johnson	56	514
	Hon. Morris B. Jones	48	506
	Hon. Conrad Aragon	49	509
	Hon. Maureen Duffy-Lewis	38	412
	Hon, Malcoim H. Mackey	55	515
	Hon, Jon M. Mayeda	72	731
	Hon. David L. Minning	61	632
Ø	Hon. Charles W. McCoy	323	CCW-1707
	Hon, Aurelio Munoz	47	507
	Hon. Mary Ann Murphy	25	317
	Hon. Rodney E. Nelson	46	500
	Hon, Mary Thornton House	17	313
	Hon. Victor H. Person	39	415
•	Hon. Mel Regans	45	529
	Hon, Andria K. Richey	31	407
	Hon. Frances Rothschild	28	318
	Hon. John P. Shook	53	513
	Hon. Ronald M. Schigian	41	417
	Hon, Rita Miller	16	306
	Hon. Thomas L. Willhite Jr.	23	315
	Hon. Alexander Williams III	35	411
	Hon. David A. Workman	40	414
	Hon. George Wu	33	409
	OTHER		·

Given to Plaintiff of recor	d on		 John	A. Clarke, Execu	tive Officer/Clerk	
•		•				DEPUTY CLE

Superior Court of California, County of Los Angeles, Central District NOTICE OF CASE ASSIGNMENT

The following critical provisions of the Chapter 7 Rules as applicable in the Central District are summarized for y assistance.

APPLICATION

The Chapter 7 Rules were effective January 1, 1994. They apply to all general civil cases.

PRIORITY OVER OTHER RULES

The Chapter 7 Rules shall have priority over all other Local Rules to the extent the others are inconsistent.

CHALLENGE TO ASSIGNED JUDGE

A challenge under Code of Civil Procedure Section 170.6 must be made within 15 days after notice of assignment fo purposes to a judge, or if a party has not yet appeared, within 15 days of the first appearance.

TIME STANDARDS

Cases assigned to the Individual Calendaring Court will be subject to processing under the following time standards:

COMPLAINTS: All complaints shall be served within 60 days of filing and proof of service shall be filed within 90 d of filing.

CROSS-COMPLAINTS: Without leave of court first being obtained, no cross-complaint may be filed by any party a their enswer is filed. Cross-complaints shall be served within 30 days of the filing date and a proof of service filed with 60 days of the filing date.

A Status Conference will be scheduled by the assigned I/.C Judge no later than 270 days after the filing of the compla Coursel must be fully prepared to discuss the following issues: alternative dispute resolution, bifurcation, settlement, t date and expert witnesses.

FINAL STATUS CONFERENCE

The Court will require the parties at a status conference not more than 10 days prior to the trial to have timely filed; served all motions in limine, bifurcation motions, statements of major evidentiary issues, dispositive motions, requested j instructions and special jury instructions and special jury verdicts; so that such matters may be heard and resolved at a conference. At least 5 days prior to this conference, counsel must also have exchanged lists of exhibits and witnesses; have submitted to the court a brief statement of the case to be read to the jury panel as required by Chapter Eight of Los Angeles Superior Court Rules.

SANCTIONS.

The court will impose appropriate sanctions for the failure or refusal to comply with Chapter 7 Rules, orders made by Court, and time standards or deadlines established by the Court or by the Chapter 7 Rules. Such sanctions may be o party or if appropriate on counsel for such party.

This is not a complete delineation of the Chapter 7 Rules, and adherence only to the above provisions is therefore a guarantee against the imposition of sanctions under Trial Court Delay Reduction. Careful reading a compliance with the actual Chapter Rules is absolutely imperative.

*Class Actions

All class actions are initially assigned to Judge Charles W. McCoy in Department 308 of the Central Civil West courthor [600 S. Commonwealth St., Los Angeles 90005). This assignment is for pretrial purposes and for the purpose of assess whether or not the case is complex within the meaning of California Rules of Court 1800 et seq. Depending on the outco of that assessment, the class action case may be reassigned to one of the judges of the Complex Litigation Program reassigned randomly to a court in the Central District.

Revised 11/14/02 c:\My Documents\udge Assignments.wpd

LOS ANGELES SUPERIOR COURT ALTERNATIVE DISPUTE RESOLUTION (ADR) PROGRAMS

CRC 201.9(c) Information about Alternative Dispute Resolution

The plaintiff shall serve a copy of the ADR Information package on each defendant along with the complaint.

ADR PROGRAMS

MEDIATION

A problem-solving approach during which a neutral facilitator assists the parties in reaching a milituallysatisfactory settlement agreement. The mediator does not render decisions or awards.

The Court Mediation Program is governed by Code of Civil Procedure (CCP) 1775-1775.7, California Rules of Court (CRC) 1631-1639, Evidence Code 1115-1128, and Los Angeles Superior Court (LASC) Rules Chapter 12.

ARBITRATION

An arbitrator hears evidence from all parties and witnesses, and renders a decision and award. The decision is non-binding unless the parties agree in writing to binding arbitration.

The Court Arbitration Program is governed by Code of Civil Procedure (CCP) 1141.10-1141.31, California Rules of Court (CRC) 1600-1618, and Los Angeles Superior Court (LASC) Rules Chapter 12.

SETTLEMENT CONFERENCE Parties meet with a neutral to explore settlement options.

JURISDICTIONAL LIMITATIONS

MEDIATION

& Arbitration If the case was not previously referred to the Court ADR Program, any case in which the amount in dispute will not exceed \$50,000 per plaintiff can stipulate, elect or by order be ordered to mediation or arbitration.

Note: Parties may voluntarily request or initiate a mediation or arbitration proceeding, regardless of the amount in dispute.

SETTLEMENT CONFERENCE Any case, regardless of the amount in dispute, may be ordered to a settlement conference. There is no monetary limit.

REFERRAL INFORMATION

Parties are referred to the ADR Office/Clerk of their court. Upon completion of ADR forms, parties may select a Neutral (Mediator or Arbitrator) from the Court ADR Panel, or may hire someone privately, at their discretion. Parties are assigned to a settlement officer.

QUALIFICATIONS

MEDIATION

Attorney or tayperson with 25 or more hours of training in mediation.

ARBITRATION

Attorney for 5 or more years with a fair amount of trial experience.

SETTLEMENT CONFERENCE Attorney with substantial experience in resolving multi-party and/or complex cases.

.

For additional information, visit the Court ADR web application at www.lasuperiorcourt.org (cack on ADR).

Partially Funded by the Los Angeles County Dispute Resolution Program

DISPUTE RESOLUTION PROGRAMS ACT (DRPA) CONTRACTORS

The following organizations provide mediation services under contract with the Los Angeles County Department of Community & Senior Services, Services are provided to parties in any civil case filed in the Los Angeles County Superior Court. Services are not provided under this program to family, probate, traffic, criminal, appellate, mental health, unlawful detainer/eviction or juvenile court cases.

California Academy of Mediation Professionals (818) 377-7250

Center for Conflict Resolution (818) 304-7242

Inland Valleys Justice Center (909) 397-5780 Español

Office of the Los Angeles City Attorney
Dispute Resolution Program (213) 485-8324 Español

Los Angeles County Bar Association Dispute Resolution Services (877) 473-7658 Español (323) 876-2747 (626) 449-3879

The Loyola Law School Center for Conflict Resolution (213) 736-1145 Español

Martin Luther King Legacy Association

Martin Luther King Dispute Resolution Center (323) 290-4132 Español

DRPA Contractors do not provide legal advice or assistance, including help with responding to summonses. Accessing these services does not negate any responsibility you have to respond to a summons or appear at any set court date. See the reverse side of this sheet for information on the mediation process and obtaining legal advice.

This is a two-sided document.

What is the goal of mediation?

The goal is to assist the parties in reaching a mutually acceptable agreement or understanding on some or all of the issues. The parties jointly become the primary decision maker in how to resolve the issues as opposed to the traditional judge and/or jury system.

Do I need an attorney for this?

While it is recommended to have an attorney and/or receive legal advice before the mediation starts, you are not required to have representation. If you do have an attorney, they may participate in the mediation with you.

How long does it take?

Face-to-face mediations generally last one to three hours. Telephone conciliations, in which the parties do not meet face to face, vary from a few days to several weeks. Much depends on the number of parties involved and the complexities of the issues. When the mediation takes place depends on parties scheduling availability.

A Mediator helps parties...

- + Have productive discussions
- Avoid or break impasses
- Defuse controversy
- · Generate options that have potential for mutual gain
- · Better understand each other's concerns and goals
- . Focus on their interests rather than their positions

A Mediator does not...

- ◆Provide advice or opinions
- +Offer legal information
- Make decisions for parties
- Represent or advocate for either side
- Judge or evaluate anyone or anything
- Conduct research
- + "Take Sides"

What does it cost?

The first three hours of any mediation are free.
Thereafter, charges are based on income or revenue.
All fees are waived for low-income individuals.

What is the difference between the contractors listed and the Superior Court ADR Office?

The services offered by the contractors listed may be accessed immediately. Those offered by the Superior Court ADR Office, also a DRPA contractor, may not be accessed by parties until a court appearance, or at the directive of the judge assigned to the case.

Legal Advice/Information

If you want to retain an attorney, a list of state certified referral services is at <u>courtinfo.ca.qov</u> which also has an on-line self help legal center.

Self-Help Legal Access Centers are at the Inglewood, Palmdale, Pomona, and Van Nuye courthouses. nis-ta.org and lafta.org

Court Personnel can answer non-legal questions (forms, fees, fee walvers). lasuperiorcourt.org

Low-income individuals may qualify for help from non-profit legal organizations. Court Personnel and DRPA contractors have such listings.

Dispute Resolution Programs Act (DRPA) Contracts Administration Office (213) 738-2621

NAME, ADDRESS, AND TELEPHONE NUMBER OF ATTORNEY OR PARTY WITHOUT ATTORNE	EY: STATE BAR NUMBER Repared for Clerify File Shim	P				
ATTORNEY FOR (Name):	2/07/00 41/05/50					
SUPERIOR COURT OF CALIFORNIA, COUNT	Y OF LOS ANGELES					
COURTHOUSE ADDRESS:						
PLANTEF:						
DEFENDANT:						
	CASE RUMBER					
STIPULATION TO PARTICIPAT	C 114					
ALTERNATIVE DISPUTE RESOLUTI	ON (ADR)					
The undersigned parties stipulate to participate in Alternat follows:	tive Dispute Resolution (ADR) in the above-entitled action.)n, as				
1. ALTERNATIVE DISPUTE RESOLUTION PROCESS:						
Mediation						
Non-Binding Arbitration	***					
☐ Binding Arbitration	•					
Settlement Conference						
Other ADR Process (describe):	<u> </u>					
2. NEUTRAL: Court Panel: The parties request the appointment of the following neutrals from the Court's Pro Sono Panel (no charge to the parties for the first 3 hours of hearing time) Party Pay Panel (\$150,00 per hour charge to the parties for the first 3 hours of hearing time)						
First choice:	Alternate:					
	otherwise request, the Court's ADR Office will select the					
To the second se						
☐ The parties request that the ADR Clerk select the neutral.						
	ring provider shall be appointed as arbitrator or mediator. (Al ded between them in a manner to which they have agreed.)	li of				
Name, address and telephone of Private Neutral:						
Dated:						
		•				
•						
Name of Stiputating Party Name of Party or Attorn Plaintiff Defendant Cross-defendant	rey Executing Stipulation Signature of Party or Attorney					
And a recommendation of the control						
Name of Stipulating Party Name of Party or Attorn Plaintiff Defendant Cross-defendant	ney Executing Stipulation Signature of Party or Attorney					
□ Additional sig	mature(s) on reverse	-				

ADR 901 07-04

STIPULATION TO PARTICIPATE IN ALTERNATIVE DISPUTE RESOLUTION (ADR)

Cal. Rules of Court, rule 201.9 Page 1 of 2

Short Title		Case Number
•	•	
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Name of Stipulating Party	Name of Party or Attorney Executing Stipulation	Signature of Party or Attorney
Plaintiff Defendant Cross-defendant		
	•	•
Name of Stipulating Party	Name of Party or Attorney Executing Stipulation	Signature of Party or Attorney
Plaintiff Defendant Cross-defendant		
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Name of Stipulating Party	Name of Party or Atlantey Executing Stipulation	Signature of Party or Attorney
Plaintiff Defendant Cross-defendant		<u>.</u>
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Name of Stipulating Party	Name of Party or Attorney Executing Stipulation	Signature of Party or Attorney
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☐ Plaintiff ☐ Defendant ☐ Cross-defendant	•	
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Name of Stipulating Party	Name of Party or Attorney Executing Stipulation	Signature of Party or Altorney
District Colonian Dicherical		· · · · · · · · · · · · · · · · · · ·

	•	CONFORMED COPY		
.1	Adam Voyles - (pro hac vice application to be ! Heard, Robins, Cloud, Lubel & Greenwood, LI	pubmitted) OF CACCHALL PRED P Los Austies director Com		
2	(832) 214-4839, fax (713) 650-1400			
3	One Allen Center, 500 Dallas, Suite 3100, Houston, Texas 77002	NOV 1 & 2004		
. 4	Spiro Moss Barness Harrison & Barge LLP	Join & Cisrle, Executive Office: Person		
_	Ira Spiro - State Bar No. 67641	By Pepty		
5	Dennis F. Moss - State Bar No. 77512 René L. Barge - State Bar No. 182317			
6	11377 W. Olympic Believed., Fifth Floor Los Angeles, CA 90064-1683			
7	(310) 235-2468, fax (310) 235-2456			
8	Attorneys for Plaintiff LaRONDA HUNTER			
9				
10	SUPERIOR COURT OF THE	STATE OF CALIFORNIA		
11	COUNTY OF LOS ANGEL	es, central district		
12	Laronda Hunter, on behalf of herself and on behalf of all others similarly situated	CASE NO. BC324622		
13	and the general public,	CLASS ACTION		
14	Plaintiff,	COMPLAINT FOR DAMAGES,		
15	vs.	RESTITUTION AND OTHER RELIEF;		
16	GENERAL MOTORS CORPORATION and	DEMAND FOR JURY TRIAL		
17	DOES 1 through 100,			
18	Defendants.			
19				
20	INTRODU	CTION		
21	1. This lawsuit is filed as a class	action against Defendant General Motors		
22	Corporation ("GM") for developing, designing, a	nanufacturing, distributing and selling trucks		
23	(including SUVs, which are trucks) with a defec	tive rear brake system. The models of trucks		
24	with a defective rear brake system include at leas	t the following: 2002-2003 Cadillac Escalade		
25	and Escalade EXT, 1999-2003 Chevrolet Silverado 1500 Series Pickups, 2000-2003 Chevrolet			
26	Tahoe 1500 Series Models, 2002-2003 Chevrolet Avalanche 1500 Series Models, 1999-2003			
27	GMC Sierra 1500 Series Pickups, and 2000-2003 GMC Yukon 1500 Series Models (the "Subject			

28 Truck(s)").

PARTIES

- Plaintiff La Ronda Hunter is a Los Angeles County, California resident.
 Plaintiff purchased and owns one of the Subject Trucks, a 2001 GMC Yukon 1500 Series
 Model, which contained a defective rear brake system.
- 3. Plaintiff Ms. Hunter appears in this action on behalf of herself and on behalf of all others similarly situated and, pursuant to Business and Professions Code §§17200 et. seq., on behalf of the general public.
 - 4. Defendant General Motors Corporation (hereinafter "GM") is a corporation.
- 5. Plaintiff is informed and believes and thereon alleges that defendants Does 1 through 90 are corporations, or are other business entities or organizations of a nature unknown to Plaintiff.
- 6. Plaintiff is unaware of the true names of defendants Does 1 through 100. Plaintiff sues said defendants by said fictitious names, and will amend this complaint when the true names and capacities are ascertained or when such facts pertaining to liability are ascertained, or as permitted by law or by the Court.
- Plaintiff is informed, believes, and thereon alleges that at all relevant times, each Defendant was a developer, designer, manufacturer, distributor and seller of trucks, was the principal, agent, partner, joint venturer, officer, director, controlling shareholder, subsidiary, affiliate, parent corporation, successor in interest and/or predecessor in interest of some or all of the other Defendants, and was engaged with some or all of the other defendants in a joint enterprise for profit, and bore such other relationships to some or all of the other Defendants so as to be liable for their conduct with respect to the matters alleged in this complaint. Plaintiff is further informed and believes and thereon alleges that each Defendant acted pursuant to and within the scope of the relationships alleged above, and that each Defendant knew or should have known about, authorized, ratified, adopted, approved, controlled, aided and abetted the conduct of all other Defendants. As used in this complaint, "Defendants" means "Defendants and each of them," and refers to the Defendants named in the particular cause of action in which the word

appears.

8. Plaintiff makes the allegations in this complaint without any admission that, as to any particular allegation, plaintiff bears the burden of pleading, proving, or persuading, and plaintiff reserves all plaintiff's rights to plead in the alternative.

CLASS DEFINITIONS AND CLASS ALLEGATIONS

- 9. This action has been brought and may properly be maintained as a class action pursuant to the provisions of California Code of Civil Procedure § 382 and other applicable law.
- 10. As presently formulated, plaintiff seeks to represent two classes in this proposed class action. Plaintiff reserves the right to amend this class designation and to propose subclasses if it should become appropriate. The members of the proposed classes are sometimes referred to below as the "class members." The two classes are defined as follows:
- a. <u>California Class</u>: Plaintiff LaRonda Hunter and all those who have purchased or leased, or will purchase or lease, a Subject Truck in California.
- b. <u>National Class</u>: Plaintiff La Ronda Hunter and all those who have purchased or leased, or will purchase or lease, a Subject Truck anywhere in the United States, including California.
- 11. There is a well defined community of interest in the litigation, and the proposed class is ascertainable:
 - a. <u>Common Questions Predominate</u>: Common questions of law and fact exist as to all class members, and predominate over any questions that affect only individual members of the class, if there are any individual questions. The common questions of law and fact include, but are not limited to:
 - (1) whether the rear brake system in the Subject Trucks possess one or more defects:
 - (2) whether, because of the defective rear brake system, GM breached the implied warranty of merchantability as to the Subject Trucks;
 - (3) whether, defective rear brake system, GM breached the implied warranty of fitness for a particular purpose as to the Subject Trucks;

- (4) whether the defective rear brake system caused the amount paid for the purchase or lease of the Subject Trucks to be less than the fair market value of those vehicles;
- (5) what is the dollar amount of the difference between the fair market value of the Subject Trucks and the actual value of those vehicles given the defective rear brake system;
- (6) whether GM expressly warranted the rear brake system;
- (7) the extent of GM's implied warranty of merchantability of the rear brake system
- (8) the extent of GM's implied warranty of fitness for a particular purpose of the rear brake system
- (9) whether GM's warranty to repair defects in the Subject Trucks was part of the basis of the bargain as between GM and members of the Class;
- (10) whether GM failed to adequately repair the defect in the rear brake system of the Subject Trucks;
- (11) whether GM failed to adequately repair the defect in the rear brake system of the Subject Trucks without charge to the class members
- (12) whether and when GM had actual awareness of the defective rear brake system of the Subject Trucks;
- (13) whether the presence of the defective rear brake system in the Subject
 Trucks a violation of the Song-Beverly Consumer Warranty Act;
- (14) whether the presence of the defective rear brake system in the Subject
 Trucks is an unfair business practice within the meaning of the Business
 and Professions Code §§ 17200 et. seq.
- b. <u>Typicality</u>: Plaintiff's claims are typical of the claims of the class members. Plaintiff and the class members sustained the same types of damages and losses.

- d. Adequacy: Plaintiff will fairly and adequately protect the interests of the members of the class. Plaintiff has no interest adverse or antagonistic to the interests of the other class members. The attorneys for plaintiffs are very experienced and highly regarded plaintiffs' class action attorneys, and have been appointed by the courts as class counsel in dozens of class actions.
- e. <u>Superiority</u>: A class action is superior to other available means for the fair and efficient adjudication of this controversy. Individual joinder of all class members is extremely impractical. Class action treatment will permit a large number of similarly situated persons to prosecute their common claims in a single forum simultaneously, efficiently, and without the unnecessary duplication of effort and expense that numerous individual actions engender. The damages suffered by each individual class member are relatively small, and the expenses and burden of individual litigation would make it difficult or impossible for individual class members to redress the wrongs done to them. Important public interests will be served by addressing this matter as a class action. The cost to the court system of adjudication of thousands or tens of thousands of individual lawsuits would be very substantial. Individual lawsuits would also present the potential for inconsistent or contradictory judgments. No unusual difficulties are likely to be encountered in the management of this class action.

COMMON FACTUAL ALLEGATIONS

- 12. GM develops, designs, manufactures, distributes, and sells the Subject Trucks.
- 13. The rear brake system in the Subject Trucks for the corresponding model years, are and always have been defective, which, among other things, causes the brake shoes to move out of their proper place, causes the brakes to function improperly and to wear out

prematurely, creates serious dangers for drivers, passengers and pedestrians, and results in the brakes having to be repaired and replaced. The model years are:

- > 1999-2003 Chevrolet Silverado 1500 Series Pickups;
- > 2000-2003 Chevrolet Tahoe 1500 Series Models;
- > 2002-2003 Chevrolet Avalanche 1500 Series Models;
- > 1999-2003 GMC Sierra 1500 Series Pickups; and
- > 2000-2003 GMC Yukon 1500 Series Models.
- > 2002-2003 Cadillac Escalade and Escalade EXT;
- 14. GM has been aware of the brake defect for years. Numerous complaints about the brake system in the Subject Trucks have been lodged with GM as well as with the National Highway Traffic Safety Administration ("NHTSA"). NHTSA has even initiated a defect investigation regarding the defects in the brake system of the Subject Trucks. GM, however, has failed to notify owners of the Subject Trucks of the defects or the dangers associated with their continued operation. For example, GM has failed to notify Subject Truck owners that the defect is not isolated to the parking brake, but rather adversely affects the functioning of the rear service brake a component critical to safely stopping the Subject Trucks. GM's failure to notify Subject Truck owners and adequately repair this known brake defect is not only unlawful but extremely dangerous.
- 15. The defective rear brake system on the Subject Trucks has resulted and will continue to result in significant loss and damage to the class members, including but not limited to reduced fair market value.
- 16. This action seeks financial compensation for members of the Class in connection with their purchase of the Subject Trucks. Plaintiffs do not seek: (I) incidental or consequential damages arising from the defect; (ii) damages for personal, bodily, or emotional injury or wrongful death; (iii) damages for becoming subject to liability or legal proceedings by others. The damages and losses sustained by the class members are less than \$75,000 for each class member, but far more than \$75,000 for all class members combined.

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FIRST CAUSE OF ACTION

(By Plaintiff on Behalf of Herself and the National Class, Against All Defendants, For Breach of Implied Warranty)

- 17. Plaintiff incorporates paragraphs 1 through 16 above.
- 18. The Subject Trucks are goods as defined by the Uniform Commercial Code (UCC).
- 19. The transactions by which the members of the Nationwide Class purchased the Subject Trucks were transactions for the sale of goods and are governed by the UCC.
- 20. The presence of the defect in the Subject Trucks purchased by the Nationwide Class substantially impairs the value of those goods. Moreover, the defects in the Subject Trucks render them non-conforming goods as contemplated by UCC § 2-608.
- 21. The defective rear brake system makes the Subject Trucks unfit for the ordinary purposes for which the trucks are to be used. GM has failed and refused to repair the defects in the brake system of the Subject Trucks, and has failed and refused to do so at no charge to the class members. As a direct and proximate result of the foregoing, Plaintiff and all the other class members sustained significant loss and damage, including but not limited to reduced fair market value and did not receive the benefit of their bargain.

SECOND CAUSE OF ACTION

(By Plaintiff on Behalf of Herself and the California Class, Against All Defendants, For Breach of Express Warranty and Contract)

- 22. Plaintiff incorporates paragraphs1 through 21 above.
- 23. Defendants gave to plaintiff and all the class members an express, written warranty of the Subject Trucks.
- 24. Because of the defective rear brake system the Subject Trucks described herein, Defendants breached the warranty as to plaintiff and the class members.

THIRD CAUSE OF ACTION

(By Plaintiff on Behalf of Herself and the California Class, Against All Defendants, For Breach of Warranty under the Song-Beverly Consumer Warranty Act)

- 25. Plaintiff incorporates paragraphs 1 through 24 above.
- 26. As to the Subject Trucks purchased by the California Class, Defendants breached their warranty of merchantability implied under the Song-Beverly Consumer Warranty Act (Song-Beverly Act). The Subject Trucks were and are not fit for the ordinary purposes for which such goods are used.
- 27. At all times, Defendants had reason to know at the time of the retail sale that the Subject Trucks were required for a particular purpose, namely as means of transportation on the roads and highways of California and throughout the United States with the necessity of stopping and starting in the ordinary and regular course of operating a motor vehicle, and that the buyers (the California Class members) were relying on the manufacturer's skill and judgment to develop, design, manufacture, distribute, and sell a vehicle with a suitable brake system. As to the Subject Trucks purchased by the California Class, Defendants breached their warranty of fitness implied under the Song-Beverly Act.

FOURTH CAUSE OF ACTION

(By Plaintiff on Behalf of Herself and the California Class, Against All Defendants for Violation of the Unfair Business Practices Act, also known as the Unfair Competition Law, Business. & Prof. Code §§ 17200 et. seq.)

- 28. Plaintiff incorporates all paragraphs above.
- 29. The conduct of Defendants described above constitutes one or more unlawful, unfair and fraudulent business acts and practices within the meaning of Business. & Prof. Code 17200 et. seq.
- 30. The conduct of Defendants is unlawful because, among other things, it constitutes breaches of warranty and contract as alleged above.
- 31. The conduct of Defendants is unfair because, among other things, it consists of selling a defective product, which it either knew was defective when sold or which it

subsequently discovered by defective and thereafter failed to notify the Subject Truck owners. Defendants' conduct offends established public policy, is oppressive, and is substantially injurious to consumers. Defendants' conduct is unfair also because it harms competition in that, among other things, it gave Defendants a competitive advantage by allowing Defendants to reap profits from defective products, as compared with competitors who expended the money, time and effort to make non-defective competing products.

- 32. The conduct of Defendants is fraudulent because, among other things, it was likely to deceive consumers, and did deceive them, into buying defective products at the price of a valuable, non-defective products.
- 33. Pursuant to Business and Professions Code §§17200 et seq., plaintiff and all the California Class members are entitled to restitution, measured at least in part by the amounts they paid for the defective Subject Trucks as compared with the value of the same or similar truck without the defective rear brake system.

PRAYER

WHEREFORE, Plaintiff prays judgment for herself and all others on whose behalf this suit is brought, against Defendants, jointly and severally, for the following:

- A. That this action be certified as a class action.
- B. That plaintiff be appointed the representative of the class.
- C. That counsel for plaintiff be appointed class counsel.
- D. General damages and special damages as alleged above.
- E. Restitution as alleged above.
- F. Interest.
- G. Costs of suit.
- H. Attorneys' fees.
- I. Such other relief as the Court deems just and proper.

Dated: November 12, 2004

Spiro Moss Barpess Harrison & Barge LLP

Ira Spiro

Attorneys for Plaintiff

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DEMAND FOR JURY TRIAL

Plaintiff, oh behalf of for himself and all others on whose behalf this suit is brought, demands trial by jury to the fullest extent permitted in this action.

DATED: November 12, 2004

Spiro Moss Barness Harrison & Barge LLP

Ira Spiro Attorneys for Plaintiff