

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

**IN RE: TAKATA AIRBAG PRODUCTS
LIABILITY LITIGATION**

Case No. 1:15-md-02599-FAM

**THIS DOCUMENT RELATES TO:
ECONOMIC LOSS TRACK CASES AGAINST
BMW, HONDA, MAZDA, NISSAN, SUBARU,
AND TOYOTA DEFENDANTS**

**ORDER REGARDING THE WIND DOWN OF THE BMW, MAZDA, HONDA, NISSAN,
SUBARU, AND TOYOTA SETTLEMENT AGREEMENTS**

CONSIDERING the Status Report by the Settlement Special Administrator on the Implementation and Wind Down of the BMW, Mazda, Honda, Nissan, Subaru, and Toyota Settlement Agreements (Rec. Doc. 4523), and being fully apprised, **IT IS HEREBY ORDERED** as follows:

The Settlement Special Administrator and/or Epiq, where applicable, shall take the actions specified below to further the close down of the Settlement Agreements:

- a) Continue to file state and federal tax returns and make payments as necessary from the Qualified Settlement Funds, or associated accounts, of the Original Settlement Agreements as applicable;
- b) Continue to issue IRS Forms 1099-MISC to claimants with reportable distributions and file the same information with the IRS along with annual tax filings, as necessary through the end of the Original Settlement Programs;
- c) Maintain the existing toll-free number and Interactive Voice Response (“IVR”) in its current state until February 29, 2024, at which time the toll-free number and IVR will

be modified to remove all information related to the Original Settlement Programs. The toll-free number and live agents will remain operating to service the Ford and Volkswagen/Audi settlement programs;

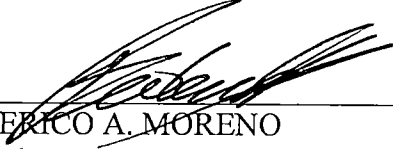
- d) Maintain the website through February 29, 2024, in its current form, after which a single subpage for each of the Original Settlement Programs will be maintained, with all other subpages removed. Each single subpage will indicate that the case is closed and that the email and live call operators are no longer available to assist claimants with inquiries, but will include information on the escheated distributions and how to request copies of IRS Forms 1099s previously issued. The single subpages related to each of the Original Settlement Programs shall be decommissioned on or about February 28, 2025. The <https://www.autoairbagsettlement.com/> website will remain operating to service the Ford and Volkswagen/Audi settlement programs;
- e) Maintain the case PO Box servicing the Original Settlement Programs and physical mailing address through February 29, 2024, after which any mail relating to the Original Settlement Programs will be returned to sender;
- f) Maintain the existing info@autoairbagsettlement.com through February 29, 2024 to service the Original Settlement Programs. Any questions received on or after February 29, 2024 related to the Original Settlement Programs will receive a response indicating that the Original Settlement Programs are completed. The email address will remain functional after February 29, 2024 to service the Ford and Volkswagen/Audi settlement programs;

- g) Destroy all paper copies of documentation, correspondence, filings, data files, CD/DVD/drives provided by Claimants, or other physical media relating to the Original Settlement Programs as soon as practicable on or after February 29, 2024;
- h) Archive all electronic copies of claims, documentation, correspondence, filings, data files, or other media relating to the Original Settlement Programs as soon as practicable after February 29, 2024, with a final purge of the same occurring as soon as practicable after February 28, 2026;
- i) Terminate vendor contracts and other outstanding contracts relating to the Original Settlement Programs as and when determined to be appropriate by the Settlement Special Administrator in his sole discretion;
- j) Finalize and close any Funds established by Section III.A or otherwise, including for example any associated operating accounts, of the Original Settlement Agreements as and when determined to be appropriate by the Settlement Special Administrator in his sole discretion;
- k) Accelerate escheatment of any unclaimed funds or uncashed checks associated with claims in the Original Settlement Agreements to the states as soon as practicable at the time of the closure of the Qualified Settlement Funds and associated accounts, in order to timely wind down the Original Settlement Programs; and
- l) Finalize and complete any other issues requiring resolution that may arise in the winddown of the Original Settlement Programs.

This Court shall retain jurisdiction over the Qualified Settlement Funds of the Original Settlement Agreements until such time as these accounts are closed and fully distributed pursuant to this Order and the Original Settlement Agreements.

DONE AND ORDERED in Chambers at Miami Florida, this 23rd of

January, 2023.


FEDERICO A. MORENO
United States District Judge

C: All counsel of Record