

**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**

**REPORT BY THE SETTLEMENT SPECIAL ADMINISTRATOR ON THE
IMPLEMENTATION OF THE OUTREACH PROGRAMS PURSUANT TO THE BMW,
HONDA, MAZDA, NISSAN, SUBARU, AND TOYOTA SETTLEMENT AGREEMENTS**

STATUS REPORT NO. 6 FILED AUGUST 13, 2019

The Settlement Special Administrator of the BMW, Honda, Mazda, Nissan, Subaru, and Toyota Settlement Agreements (collectively, the “Settlement Agreements”) submits this Report to the Court to provide information and insight as to the ongoing efforts of the Outreach Programs under the Settlement Agreements¹.

As explained in further detail below, the Outreach Programs have been designed through discussion with the Parties, the National Highway Traffic Safety Administration, and the Independent Monitor of the Takata recalls to utilize techniques and approaches not previously applied in the recall industry, with a focus on personalized, targeted direct campaigns aimed at maximizing the volume of outreach attempts per consumer via traditional and non-traditional channels with the goal of maximizing the recall remedy completion rate to the extent practicable given applicable provisions of the Settlement Agreements. Consistent with this, the Settlement Special Administrator and Outreach Program Vendors regularly confer and communicate with the

¹ The data and information contained in this report is generally as of mid-July 2019.

automobile manufacturers to coordinate concerted efforts to ensure that outreach to affected vehicle owners is conducted as efficiently and as effectively as possible and to continually improve the overall process.

1. Direct Outreach

a. Consumer Population Segmentation and Tailored Assets

As per prior reports, the Settlement Special Administrator and Outreach Program Vendors, in consultation with the automobile manufacturers, continue to deploy creative assets personalized and tailored based on the behavioral qualities and demographics of the consumer populations, which were grouped into “Apple Pie”, “On the Go”, “Golden Years”, “Starting Out”, and “New Owner” segments². Monitoring of the testing and results of these deployments continues as response information is received.

b. Continued Efforts with State Departments

As reported, the Settlement Special Administrator, the automobile manufacturers, and the Independent Monitor for the Takata recall have engaged various state departments to endorse the deployment of letters on behalf of their respective states to inform affected citizens of the Takata recall and its severity as well as to provide information on how to have the recall repair completed. In addition to the states in which these letters have previously been mailed³, letters were recently mailed in Alabama, Kentucky, and Wisconsin. Additionally, similar letters are anticipated to be mailed over the next few months in Minnesota, North Carolina, and Virginia, with several other states to follow into the fall. The Settlement Special Administrator, the automobile manufacturers, and the Independent Monitor for the Takata recall continue to contact state departments to seek their cooperation in this valuable and effective effort.

² Descriptions of these segments are available in Status Reports 3 and 4.

³ Florida, Louisiana, Michigan, New York, Mississippi.

c. Overall Deployment and Response

A total of 129,605,996 outbound deployments have been made by the Settlement Special Administrator and Outreach Program Vendors to affected consumers. These deployments are broken out by channel below:

<u>Channel</u>	<u>Volume</u>	<u>Overall Appointment Rate⁴</u>
Direct Mail Pieces	48,377,888	3.78%
Emails	40,180,549	0.42%
Outbound Calls	16,382,872	4.80%
Digital (Facebook) Impressions	24,664,687	Engagement Rate ⁵ – 0.17%

d. Overall Results

The Settlement Special Administrator and Outreach Program Vendors have performed a total of 757,712 appointments and “warm transfers” to allow consumers to schedule appointments directly with dealers, and 3,155,049 recall remedies have been completed since the transition of the Outreach Programs to the Settlement Special Administrator and Outreach Program Vendors⁶.

2. Additional Activities and Efforts

In ongoing consultation with the parties, the National Highway Traffic Safety Administration, and the Independent Monitor of the Takata recalls, the Settlement Special

⁴ “Overall Appointment Rate” measures the number of Takata inflator replacement appointments scheduled by the Settlement Special Administrator and its Outreach Program Vendors relative to the total number of vehicles targeted in each particular channel. As discussed in prior reports, these appointment rate figures are intended to measure relative success of the use of different channels to continually improve the Outreach Programs, but these incremental appointment rates are not intended to illustrate the overall effectiveness of the Outreach Programs so extrapolating these figures in an attempt to do so is imprudent.

⁵ “Engagement Rate” provides the percentage of people who actually engaged with the Digital Impression.

⁶ Each automobile manufacturer continues significant and extensive outreach efforts beyond those activities performed by the Settlement Special Administrator in the Outreach Programs under the Settlement Agreements. Furthermore, as mentioned, consumers often schedule repair appointments directly with their local dealerships rather than by calling the Outreach Program’s call center to do so. As such, the total recall remedy completion count presented herein cannot be attributed solely to those activities conducted by the Settlement Special Administrator and Outreach Program Vendors and exceeds the number of appointments and “warm transfers” set by Outreach Program Vendors.

Administrator has also undertaken several other activities to be performed in addition to and in conjunction with direct outreach to consumers.

The Settlement Special Administrator and Outreach Program Vendors have contracted with Academy Award-winning actor Morgan Freeman to serve as the spokesperson for its national media campaign. The support of Mr. Freeman's well-known, trustworthy voice is intended to bring a national spotlight to the urgency of this recall, driving individuals to check their vehicles to see whether they are affected and, if so, to contact their local dealerships immediately to schedule a free recall repair. The media campaign began in early August 2019 and is planned to run in three flights over the next several months, through the end of October. The mass media, which will be broadcast on both national television and radio, is targeted towards the segments of the population which have the lowest remedy compliance rates to date in further effort to emphasize the severity of this recall and to provide clear direction on how those individuals can remedy their vehicles. Overall, the mass media plan is expected to result in over one billion impressions in adults over the age of 18 in the United States.

In terms of earned media, the Settlement Special Administrator and Outreach Program Vendors began deploying public relations materials, predominately in Zone B states. In total as of the end of July, B-roll news footage has run on 90 local news stations across over 30 states; news syndicate press releases have run in 195 publications across 20 states; and audio news releases have run more than 1,000 times on 740 radio stations in over 30 states in the United States. These efforts will be continued over the coming months, further amplifying the mass media awareness campaign centered around Mr. Freeman.

The Settlement Special Administrator has conducted focus group research in four cities across the United States, including Columbus, OH, Dallas, TX, Denver, CO, and Tampa, FL. The

majority of participants in these focus groups included individuals who had not yet had their recall remedy performed, so as previously discussed, this research was focused on understanding reasons why those individuals had not yet done so as well as what might compel them to do so, and what messages, language, and imagery might effectively drive action. The results of these several focus groups are currently being assessed and compiled.

3. Conclusion

The Settlement Special Administrator offers this Report to ensure that the Court is informed of the status of the Outreach Programs to date. If the Court would find additional information helpful, the Settlement Special Administrator stands ready to provide it at the Court's convenience.

/s/ Patrick A. Juneau

PATRICK A. JUNEAU

Settlement Special Administrator

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on August 13, 2019, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify the foregoing document is being served this day on all counsel of record via transmission of Notice of Electronic Filing generated by CM/ECF.

/s/ Matthew P. Weinshall

Matthew P. Weinshall