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**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, FORD, HONDA, MAZDA, NISSAN,  
SUBARU, TOYOTA AND VOLKSWAGEN  
DEFENDANTS**

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

**STATUS REPORT NO. 16 FILED JULY 6, 2022**

The Settlement Special Administrator of the BMW, Ford, Honda, Mazda, Nissan, Subaru, Toyota, and Volkswagen 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 Agreements<sup>1</sup>.

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 increasing 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

<sup>1</sup> The data and information contained in this report is generally as of the end of Q2 2022.

given the applicable provisions of the Settlement Agreements. Consistent with this, the Settlement Special Administrator and Outreach Program vendors regularly confer and communicate with the 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. Current and Future Campaigns in Direct Outreach to Affected Consumers

As discussed in prior reports, remedy completion totals continue to climb, thus making the incremental effort and cost necessary to achieve each additional remedy that much higher. In order to combat this, the Settlement Special Administrator and Outreach Program vendors continue to evolve the outreach approach with new and unique tactics, in conjunction with methods which have proven to be effective in driving Recall Remedies, such as handwritten elements to outreach pieces as well as large format envelopes/packaging to stand out against the clutter of consumers' mailboxes.

In the coming months, in addition to recurring themes utilized in ongoing mail, email, and outbound phone outreach (*e.g.*, "missed appointment", "new owner"), the Settlement Special Administrator and Outreach Program vendors will implement materials inspired by the sheer volume of outreach that has been sent to owners who have not yet had their Recall Remedy performed. In some cases, individuals have received over 100 outreach attempts but still have failed to act. Entitled the "make it stop" campaign, these materials urge the recipients to have their vehicles repaired not only for the safety of themselves and their family but also to simply stop the continued barrage of these very same outreach letters in the future.

Also being implemented is “official seal” material whereby the envelope of each letter is imprinted with language indicating that the communication is being sent pursuant to instruction of the Court, adding the inherent weight and authority of the Federal judicial system to convince otherwise skeptical recipients of the legitimacy of the Takata recall. This is intended to be further tested using not only standard-type baseline letters informing of the severity of the recall but also full “handwritten” letters as well, to determine which combination performs better in terms of response and remedy rates.

The Settlement Special Administrator and Outreach Program vendors over the next few months will begin to deploy one of the most visually aggressive campaigns to date—the “x-ray” concept—in which the creative depicts an “x-ray” type black and white image of a steering wheel or passenger side dashboard. Within the “x-ray” photograph is a visual of an undetonated MK2 pineapple grenade. This simile of an unrepaired Takata inflator being akin to a ticking grenade is intended to provide the recipient with a tangible, relatable image of the danger of continuing to ignore an open Takata recall.

Furthermore, follow up email campaigns are being developed as well, specifically around vehicles which have been “tagged” with outreach materials after being sighted on the road but which have not since been repaired. These emails will remind the recipient of the recently placed tag and provide information for how a Recall Remedy appointment can be scheduled. Again, this type of multi-angular approach where consumers are receiving notification through several different channels significantly strengthens the underlying call to action to the consumer regarding the legitimacy and severity of the Takata recall and the need to have the repair performed.

b. Continued Efforts with State Departments and Other Entities

As reported, the Settlement Special Administrator and the automobile manufacturers have engaged various state departments to endorse the deployment of letters on behalf of their respective states to inform affected citizens of the Takata inflator recall and its severity, as well as to provide information on how to have the recall repair completed. These efforts generally have resulted in some of the highest response rates and remedy rates of any communications in the Outreach Program. In addition to the states in which these letters have previously been mailed<sup>2</sup>, similar letters have been mailed or are anticipated to be mailed in the coming months in Georgia (its second mailing), Virginia (its second mailing), and Puerto Rico. The Settlement Special Administrator and the automobile manufacturers continue to contact state departments to seek their cooperation in this valuable and effective effort.

c. Overall Deployment and Response

A total of 674,201,406 outbound deployments across all available channels have been made by the Settlement Special Administrator and Outreach Program vendors to affected consumers. These deployments are broken out by primary channels below:

<u>Channel</u>	<u>Volume</u>	<u>Total Appointments</u>
Direct Mail Pieces	271,128,809	1,955,714
Emails	160,720,741	73,863
Outbound Calls	64,792,496	541,232
Digital/Facebook Impressions	255,770,511	92 <sup>3</sup>
Tagging <sup>4</sup>	386,118	17,084

<sup>2</sup> Louisiana, Michigan, New York, Mississippi, Alabama, Kentucky, Wisconsin, Minnesota, North Carolina, Virginia, Arkansas, Florida, Georgia, Pennsylvania, South Carolina, Ohio, Nebraska, Tennessee, Florida, Texas, Idaho, New Hampshire, and California.

<sup>3</sup> Social media deployment on Facebook and other platforms is an extremely low-cost channel used primarily to maintain consumer awareness and a social presence to support other outreach activities which more regularly result in appointments and repairs, such as direct mail and outbound phone calls.

<sup>4</sup> "Tagging" refers to the process referenced in this and prior reports, whereby the Settlement Special Administrator's Outreach Program vendors actively search for affected vehicles on the road and, when located, place recall notifications on those vehicles.

d. Overall Results

The Settlement Special Administrator and Outreach Program vendors have performed a total of 2,632,998 appointments and “warm transfers” to allow consumers to schedule appointments directly with dealers, and 9,732,612 recall remedies have been completed since the transition of outreach to the Settlement Special Administrator and Outreach Program vendors<sup>5</sup>.

**2. Additional Activities and Efforts**

At the end of 2021, the Settlement Special Administrator discontinued the use of earned media efforts as part of its Takata recall outreach program. Given the significant media coverage over the last several years, these earned media strategies greatly assisted in raising affected vehicles owners’ awareness and understanding of the legitimacy and gravity of the Takata recalls. In ongoing consultation with the Parties and the National Highway Traffic Safety Administration, the Settlement Special Administrator and Outreach Program vendors continue to evaluate other activities to be performed in addition to and in conjunction with direct outreach to consumers.

**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.

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<sup>5</sup> Considering the significant efforts put forth towards indirect outreach methods such as mass media and public relations-type activities, Status Reports now provide the total number of recall remedies performed, irrespective of whether direct outreach had been performed on a vehicle. As previously mentioned, consumers often schedule repair appointments directly with their local dealerships rather than by calling the Outreach Programs’ call center to do so. As such, the total recall remedy completion count presented herein cannot be attributed solely to those direct 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. This is also consistent with the fact that 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.

/s/ Patrick A. Juneau  
PATRICK A. JUNEAU  
Settlement Special Administrator