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19 **UNITED STATES DISTRICT COURT**

20 **NORTHERN DISTRICT OF CALIFORNIA**

21 *Aberin, et al. v. American Honda Motor Co., Inc.*

No. 4:16-cv-04384-JST

**~~PROPOSED~~ ORDER APPROVING
CLASS NOTICE PLAN**

The Honorable Jon S. Tigar

22 Having considered the Class Notice Plan proposed by the Class Representatives in the
23 August 17, 2021 Joint Case Management Statement ([ECF No. 314](#)), Defendant’s non-opposition,
24 and discussing these items at the Case Management Conference held on August 24, 2021, the
25 Court finds that the proposed Class Notice Plan for providing notice to members of the Classes
26 certified pursuant to this Courts Order Granting Motion for Class Certification ([ECF No. 291](#)) is
27 appropriate and complies with due process and Rule 23 of the Federal Rules of Civil Procedure.

28 Accordingly, the Court approves the following Class Notice Plan:

- 1 1. **Individual Notice by Direct Postal Mail:** Summary notice, in the form attached hereto
2 as Exhibit A (“Summary Notice”), shall be sent by Plaintiffs through the Notice
3 Administrator (appointed below) via U.S. mail in a postcard format to the address of each
4 current and former owner of a Class Vehicle who registered their vehicles in California,
5 Kansas, New York, or Washington (the four states which have had a class certified),
6 which addresses will be obtained by the Notice Administrator from the relevant agencies.
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- 8 2. **Dedicated Website:** A dedicated website shall be established by Plaintiffs through the
9 Notice Administrator on which will be posted the long-form notice in the form attached as
10 Exhibit B (“Long Form Notice”), as well as the Court’s Order Granting Motion for Class
11 Certification, the operative complaint, Defendant’s Answer thereto, instructions for the
12 submission of an exclusion request and, to the extent relevant, future orders of the Court
13 or future documents important to members of the Classes.
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- 15 3. **Toll Free Number and Email Address:** A toll free number and email address will be
16 established by Plaintiffs through the Notice Administrator to allow members of the
17 Classes to obtain additional information about the lawsuit.
- 18 4. **Opt Out Deadline:** Members of the Classes shall be permitted forty-five (45) days from
19 the date that the Summary Notice is provided via first-class postal mail to exclude
20 themselves from the Classes in the manner described in the Summary and Long Form
21 Notices. The appropriate dates shall be inserted in the Summary and Long Form Notices
22 once the date for issuance is determined.
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- 24 5. **Non-Substantive Changes to Notices:** Non-substantive changes to the forms of notice
25 approved in this Order may be made by Plaintiffs.

26 Further, the Court appoints JND Legal Administration to serve as the Notice
27 Administrator. The Notice Administrator is given all necessary and appropriate authority to
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1 effectuate the Class Notice Plan. Specifically, the Court authorizes the Notice
2 Administrator through data aggregators or otherwise, to request, obtain and utilize
3 vehicle registration information from the Department of Motor Vehicles for California,
4 Kansas, New York, and Washington for the purposes of identifying the identity of and
5 contact information for current and former owners of Class Vehicles. Vehicle
6 registration information includes, but is not limited to, owner name and address
7 information, registration date, year, make, and model of the vehicle. The Notice
8 Administrator shall undertake reasonable and appropriate measures to safeguard
9 personal identifiable information for unintended disclosure. The Departments of Motor
10 Vehicles are asked to cooperate with the Notice Administrator in complying with this
11 Order Approving Class Notice Plan.
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15 **IT IS SO ORDERED**

16 Dated: November 2, 2021

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18 JON S. TIGAR
19 United States District Judge
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