

NOTICE OF PENDENCY OF CLASS ACTION

**IF YOU PURCHASED OR LEASED A MODEL YEAR 2017-2018 GMC ACADIA VEHICLE IN TENNESSEE, A CLASS ACTION MAY AFFECT YOUR RIGHTS**

*A federal court authorized this Notice.*

**PLEASE READ THIS NOTICE CAREFULLY**

This Notice explains that the Court certified a class action lawsuit and that your rights may be affected. The lawsuit alleges a defect in 2017-2018 GMC Acadia vehicles' shifter that causes the vehicles to not recognize when they are placed in park, display a "Shift to Park" message when owners attempt to turn off the ignition, and prevents the vehicles from shutting off. The lawsuit alleges that General Motors, LLC ("GM"), failed to repair the defect and breached its warranty. The lawsuit seeks relief for class members (defined below). GM denies there was a defect or that it breached its warranty.

The lawsuit is pending in federal court in Memphis, Tennessee (the "Court"). The purpose of this Notice is to inform you about how the lawsuit may affect your rights if you fall within the definition of the Class and what steps you may take. This Notice is not an expression by the Court of any opinion as to the merits of any of the claims or defenses asserted by either side in this lawsuit.

This Notice provides a summary of the lawsuit. It also describes who is included in the Class, the effect of remaining in this lawsuit as a Class Member, and how to request exclusion from the Class.

**Your legal rights and options in this lawsuit are summarized below.**

<b>YOUR LEGAL RIGHTS AND OPTIONS</b>	
<b>DO NOTHING AT THIS TIME</b>	If you fall within the definition of the Class and wish to remain in the Class, you do not need to do anything at this time.
<b>ASK TO BE EXCLUDED BY JULY 20, 2024</b>	<p>If you do not wish to remain in the Class, you can exclude yourself. If you exclude yourself, you will not be entitled to share in any relief from any judgment or any possible settlement from this lawsuit. You will not be legally bound by any judgment entered for or against the class and you will be able to pursue any legal claims that you have on your own.</p> <p>To exclude yourself, you must either mail a request for exclusion, postmarked by <b>July 20, 2024</b> or submit an online written request for exclusion at <a href="http://www.TNGMShiftToPark.com">www.TNGMShiftToPark.com</a> by <b>July 20, 2024</b>. If you decide to mail your written request for exclusion, you must send to the address listed below:</p> <p style="text-align: center;"><b>GMC Acadia Lawsuit Notice c/o JND Legal Administration PO Box 91475 Seattle, WA 98111</b></p> <p>If you fall within the definition of the Class and decide you do not want to participate in the Class and you do not make a timely request for exclusion as described above, you will still be bound by the jury's verdict, should the case go to trial.</p>

**QUESTIONS? CALL 1-888-825-1223 OR VISIT  
[www.TNGMShiftToPark.com](http://www.TNGMShiftToPark.com)**

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# BACKGROUND INFORMATION

## 1. Why is there a Notice?

This Notice explains that the Court has “certified” a class action lawsuit that may affect your rights. This Notice informs you of the nature of the litigation and describes your rights and options. Judge Jon Phipps McCalla of the United States District Court for the Western District of Tennessee is overseeing this lawsuit. The lawsuit is known as *Jefferson v. General Motors, LLC*, and the case number is 2:20-cv-02576-JPM-tmp. The Court has authorized this Notice to inform Class Members of their rights.

## 2. What is this lawsuit about?

The lawsuit is about allegedly defective vehicles. The impacted vehicles, the “Class Vehicles,” are 2017-2018 GMC Acadia vehicles purchased or leased in Tennessee.

Plaintiff alleges that the Class Vehicles contain defective shifter assemblies which cause the Class Vehicles to fail to recognize when the vehicle is placed in park. As a result, when owners attempt to turn off the ignition the vehicles display a “Shift to Park” message even though the vehicles have already been placed in park, and the vehicles go into “accessory” mode and cannot be fully shut off. The alleged defect and condition is referred to in this notice as the “Shift to Park” or “STP Issue.”

Plaintiff alleges that GM breached its New Vehicle Limited Warranty by not repairing the alleged defect in accordance with the terms of its warranty.

GM denies any wrongdoing or liability for the claims alleged, and specifically denies that any Class Vehicle is defective or that it breached its warranty.

The Court has not decided who is right. A trial is set to start on October 21, 2024 at 9:30 a.m., in the United States District Court for the Western District of Tennessee, Federal Building, 167 North Main Street, Memphis, Tennessee 38103. During the trial, the jury will hear all of the evidence and will reach a decision about whether Plaintiff has proven the merits of her claims. There is no guarantee that the Plaintiff will win, or that she will get any relief for the Class.

You do not need to attend the trial. Plaintiff will present the Plaintiff’s case for the Class, and GM will present its defenses.

## 3. What is a class action and who is involved?

In a class action, one person called the “Class Representative” (in this case, Plaintiff Rilla Jefferson) sues on behalf of herself and other people with similar claims. All of the people together are called a “Class” or “Class Members.” One court resolves the issues for everyone in the Class, except for those people who choose to exclude themselves from the Class.

The company the Class Representative has sued (in this case General Motors, LLC) is called the Defendant.

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#### **4. Why is this lawsuit a class action?**

The Court decided that the Class Representative's claims against GM can proceed as a class action because they meet the requirements of Federal Rule of Civil Procedure 23, which governs class actions in federal courts. Specifically, the Court has allowed the Class to proceed with respect to claims for (1) breach of express warranty; (2) breach of contract; and (3) violation of the Magnuson-Moss Warranty Act.

### **WHO IS IN THE CLASS**

#### **5. Am I in the Class?**

All persons meeting the following definition are in the Class:

(1) Initial purchasers and lessees of new 'class vehicles,' 2017-18 GMC Acadias, who purchased or leased their vehicles in Tennessee; and who (2) sought a repair from a GM dealer regarding the STP Issue during the warranty period; and who (3) were not provided with either a silicon-free replacement shifter assembly or silicon-free shifter control wire harness at no charge.

Therefore, you are a member of the class if you purchased a new 2017-2018 GMC Acadia in Tennessee; sought a repair from a GM dealer regarding the STP Issue during the warranty period; and in response you either received no repair attempts at all, or you received repair attempt(s) that were not a silicon-free replacement shifter assembly or silicon-free shifter control wire harness at no charge.

Excluded from the Class are (1) GM and its employees or agents and (2) all entities and natural persons who submit a valid request for exclusion following this Notice of Pendency of Class Action in this litigation.

Your receipt of a Postcard Notice or Email does not mean you are necessarily a member of the Class. Only people who meet the foregoing class definition are members of the Class.

#### **6. I am still not sure if I am included.**

If you are still not sure whether you are a member of Class, you can call or write to Class Counsel at the phone numbers or address listed below. Do not call the Court.

### **YOUR RIGHTS AND OPTIONS**

**If you fall within the definition of the Class, you must decide whether to stay in the Class or ask to be excluded (sometimes called "opting out") of the Class. You have until July 20, 2024, to exclude yourself.**

#### **7. How do I participate in this class action?**

If you fall within the definition of the Class set forth above, you are a Class Member. As a Class Member, you will be bound by any judgment or settlement, whether favorable or unfavorable, in this lawsuit, and will be able to participate in any relief obtained by Plaintiff in the case. Whether Plaintiff wins or loses, you will not be able to bring individual legal claims against GM based on the same claims certified for class treatment, nor will you be able to obtain any relief in connection with such claims, other than the relief obtained by the Class. You will also be bound if a judgment is rendered in favor of GM.

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**IF YOU FALL WITHIN THE CLASS DEFINITION AND WISH TO REMAIN A CLASS MEMBER, YOU DO NOT NEED TO DO ANYTHING**

By doing nothing, you will remain part of the case and you will give up your rights to sue GM separately about the same claims involved in this action. No judgment or settlement has occurred at this time. If you do not ask to be excluded from the Class now, you will not have the right to seek exclusion later, such as at the time of settlement or judgment. However, in the event of a settlement, Class Members will be notified and have an opportunity to present an objection to the Court if they disagree with the terms of any settlement.

**8. Why would I ask to be excluded?**

You may want to exclude yourself if you qualify as a member of the Class but do not want to participate in this litigation at all. If you exclude yourself from the Class—which means to remove yourself from the Class and is sometimes called “opting out” of the Class—you will not get any benefits from this litigation.

If your exclusion request is complete and properly submitted before the deadline, you will not be bound by the outcome of the litigation, and you will be free, if you choose, to pursue your own lawsuit against GM based on the same STP Issue. Any separate litigation you choose to bring may be subject to a statute of limitations, or other time-sensitive requirements.

**9. How do I ask the Court to exclude me from the Class?**

If you wish to be excluded from the Class and retain all your rights, you must either (1) complete an Exclusion Request Form, available at [www.TNGMShiftToPark.com](http://www.TNGMShiftToPark.com) and submit it by U.S. Mail, postmarked by **July 20, 2024** or (2) submit an online Exclusion Request Form at [www.TNGMShiftToPark.com](http://www.TNGMShiftToPark.com) by **July 20, 2024**. Be sure to sign the form and complete all required information. If You decide to mail Your Exclusion Request Form you must send it to the address listed below:

**GMC Acadia Lawsuit Notice  
c/o JND Legal Administration  
PO Box 91475  
Seattle, WA 98111**

**IF YOU CHOOSE TO BE EXCLUDED: (1) you will NOT be entitled to share in any relief from any judgment or settlement that results from this lawsuit; (2) you will NOT be bound by any judgment or settlement release entered in this lawsuit; and (3) at your own expense, you MAY pursue any claims that you have by filing separate litigation.**

**THE ATTORNEYS REPRESENTING YOU**

**10. Do I have an attorney in this case?**

The Court has appointed the attorneys at Lemberg Law, LLC (43 Danbury Road, Wilton, CT 06897; telephone number (203) 653-2250) to represent the Class and Class Members in this litigation. You will not be charged for these lawyers.

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## **11. Should I get my own attorney?**

You may make an appearance in the case through another attorney if you choose, but you do not need to do so. If you wish to remain a Class Member, you do not need to hire your own lawyer because Class Counsel is working on your behalf. If you wish to pursue your own lawsuit separate from this one, you will need to submit a request for exclusion.

## **GETTING MORE INFORMATION**

## **12. How do I get more information?**

This Notice summarizes the Class and the nature of the litigation. For more information on the Class and the litigation, you may contact Class Counsel or the Notice Administrator using the contact information below. You may also access the Court's docket in this case, for a fee, through the Court's Public Access to Court Electronic Records (PACER) system at <https://pacer.uscourts.gov/>; or by visiting the office of the Clerk of the Court for the United States District Court for the Western District of Tennessee, Federal Building, 167 North Main Street, Memphis, Tennessee 38103, between 8:30 a.m. and 4:30 p.m., Monday through Friday, excluding Court holidays.

### ***Court-Appointed Class Counsel***

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### ***Notice Administrator***

GMC Acadia Lawsuit Notice

c/o JND Legal Administration

PO Box 91475

Seattle, WA 98111

Telephone: (888) 825-1223

***PLEASE DO NOT CALL OR WRITE THE COURT, THE COURT CLERK, OR GENERAL MOTORS ABOUT THE CLASS ACTION OR THE LITIGATION PROCESS.***

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