

**UNITED STATES DISTRICT COURT FOR THE SOUTHERN  
DISTRICT OF CALIFORNIA**

**A class action lawsuit will affect your rights because:**

**You have been identified as someone who purchased or leased in the State of California a new manual-transmission model year 2013-2015 Dodge Dart manufactured on or before November 12, 2014, from an authorized dealership (collectively, the “Class Vehicles”). If you did not purchase or lease your car primarily for personal, family, or household purposes, you are not a member of the class.**

*A court authorized this notice. This is **not** a solicitation from a lawyer.*

- Certain purchasers and lessees of manual-transmission model year 2013-2015 Dodge Darts manufactured on or before November 12, 2014 (“Class Vehicles”) have sued FCA US, LLC (“FCA US”), in a case captioned *Victorino v. FCA US, LLC*, No. 3:16-CV-01617-GPC-JLB, in the U.S. District Court for the Southern District of California, claiming that FCA US breached the Implied Warranties provided pursuant to the Song-Beverly Consumer Warranty Act Cal. Civ. Code § 1791 *et seq.* by selling the class vehicles with, as Plaintiff alleges, an inherent defect in the C635 Manual Transmission’s Clutch System (“Clutch System”) that causes the clutch pedal to lose pressure, stick to the floor, and prevents gears from engaging and disengaging, and ultimately premature failure, and seeking monetary for the Class.
- The Court has allowed the lawsuit to be a class action on behalf of persons in California who purchased or leased a Class Vehicle. Plaintiff Carlos Victorino is the Class Representative. All capitalized terms are defined in this notice.
- FCA US is contesting this case. It denies all the claims in the lawsuit and that it has done anything wrong.
- The Court has not decided whether FCA US did anything wrong. There is no money available now, and there is no guarantee that there will be in the future. However, your legal rights are affected, and you have a choice to make now:

<b>YOUR LEGAL RIGHTS AND OPTIONS IN THIS LAWSUIT</b>	
<b>DO NOTHING</b>	<p><b>Stay in this lawsuit. Await the outcome. Give up certain rights.</b></p> <p>By doing nothing, you keep the possibility of getting money or benefits that may come from a trial or a settlement. You may also receive nothing. If you stay in the lawsuit, you give up any rights you may have to sue FCA US separately about the same legal claims in this lawsuit.</p>

<b>ASK TO BE EXCLUDED</b>	<p><b>Get out of this lawsuit. Get no benefits from it. Keep rights.</b></p> <p>If you ask to be excluded, any claim you might have will not be part of the lawsuit. If money or other benefits are later awarded, you won't share in those benefits. But, you keep any rights to sue FCA US separately about the same legal claims in this lawsuit.</p>
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- Your options are explained in this notice. To ask to be excluded, you must act before December 18, 2021.
- Lawyers must prove the claims against FCA US at a trial that will commence within the next six (6) to nine (9) months, although no firm dates have been set at this time. If money or benefits are obtained from FCA US, you will be notified about how to ask for a share.
- **Any questions? Read on and visit [www.cptgroupcaseinfo.com/FCAUSLawsuit](http://www.cptgroupcaseinfo.com/FCAUSLawsuit).**

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## BASIC INFORMATION

### 1. Why should I read this Notice?

This notice explains that the Court has allowed, or “certified,” a class action lawsuit that will affect you, if you purchased or leased a Class Vehicle. You have legal rights and options that you may exercise before the Court holds a trial. The purpose of the trial is to decide whether the claims being made against FCA US on your behalf have merit. Judge Gonzalo P. Curiel of the United States District Court for the Southern District of California is overseeing this class action. The lawsuit is titled *Victorino v. FCA US, LLC*, No. 3:16-CV-01617-GPC-JLB.

### 2. What is this lawsuit about?

This case is about whether FCA US, which manufactured and sold the Class Vehicles, violated the law by selling vehicles that were not merchantable (fit for the ordinary purposes for which such goods are used), because, as Plaintiff alleges, an alleged inherent defect causes the clutch pedal in Class Vehicles to lose pressure, stick to the floor, and prevents gears from engaging and disengaging. The Plaintiff claims that the clutch system is defective and that the alleged defect presents a safety concern for drivers and occupants of the Class Vehicles.

FCA US denies all the claims in the lawsuit.

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

In a class action lawsuit, a person called a “Class Representative” (in this case Carlos Victorino is the Class Representative) sues on behalf of other people who have similar claims. The people together are a “Class” or “Class Members.” The company sued (in this case FCA US) is called the Defendant. One court resolves the issues for everyone in the Class—except for those people who choose to exclude themselves from the Class.

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

The Court decided that this lawsuit can be a class action and move towards a trial because it meets the requirements of Rule 23 of the Federal Rule of Civil Procedure, which governs class actions in federal courts. Specifically, the Court found:

- There is a large enough number of potential class members so the class is sufficiently numerous that joinder of all potential class members is impractical;
- There are legal questions and facts that are common to each of the class members;
- The claims of the Class Representative are typical of the claims of the rest of the Class;
- The Class Representative and the lawyers representing the Class will fairly and adequately represent the interests of the Class;
- The common legal questions and facts are more important than questions that affect only individuals; and
- This class action will be more efficient than having many individual lawsuits.

More information about why the Court is allowing this lawsuit to proceed as a class action is in the Order Re: Motion for Class Certification and the operative Complaint in the action [www.cptgroupcaseinfo.com/FCAUSLawsuit](http://www.cptgroupcaseinfo.com/FCAUSLawsuit).

## THE CLAIMS IN THE LAWSUIT

### 5. What is the Plaintiff asking for?

The Plaintiff is asking for damages in the form of money payments to each class member who purchased or leased a Class Vehicle.

### 6. Has FCA US responded to the lawsuit?

The Court has determined that in order for the class to prevail, Mr. Victorino will have to prove that all Class Vehicles contained a defective clutch system at the time of sale. FCA US contends that Mr. Victorino has no evidence to prove this.

### 7. Has the Court decided who is right?

The Court has not decided whether FCA US or the Plaintiff is correct. By establishing the class and issuing this Notice, the Court is not suggesting that the Plaintiff will win or lose this case. The Plaintiff must still prove his claims at trial.

### 8. Is there money available now?

No money or other benefits are available now because the Court has not decided whether FCA US did anything wrong, and the two sides have not reached a settlement in this case. There is no guarantee that money or other benefits will be obtained on behalf of class members. If they are, you will be notified about how to share in the benefits.

## WHO IS IN THE CLASS

*You need to determine whether you are affected by this lawsuit.*

### 9. Am I part of the Class?

The District Court has certified one class as part of this lawsuit:

All persons who purchased or leased in the State of California, from an authorized dealership, a new manual-transmission model year 2013-2015 Dodge Dart manufactured on or before November 12, 2014, for primarily personal, family, or household purposes.

You are a member of the Class if you are a person who purchased or leased in California, from an authorized dealership, for primarily personal, family, or household purposes, a new manual-transmission model year 2013-2015 Dodge Darts manufactured on or before November 12, 2014, even if you no longer have the vehicle.

10. What if I'm still not sure if I am included?

If you are still not sure whether you are included, you can get free help at [www.cptgroupcaseinfo.com/FCAUSLawsuit](http://www.cptgroupcaseinfo.com/FCAUSLawsuit), or by calling or writing to the lawyers in this case, at the phone number or address listed in question 19.

## YOUR RIGHTS AND OPTIONS

***You have to decide whether to stay in the class or ask to be excluded before the trial, and you have to decide this now.***

11. What happens if I do nothing at all?

If you want to retain the right to potentially receive money or other benefits from this lawsuit, you don't have to do anything now. By doing nothing, you remain in the class. If you remain in the class and the Plaintiff obtains money or other benefits, either as a result of a trial or a settlement, you will be notified about how to apply for a share (or how to ask to be excluded from any settlement). If FCA US wins, you will receive nothing. Keep in mind that if you do nothing now, regardless of whether the Plaintiff wins the trial, you will be forever barred from suing, or continuing to sue FCA US -- as part of any other lawsuit -- about the same issues that are the subject of this lawsuit. This means that with respect to the allegedly defective clutch system in the Class Vehicles at issue in this case, if you do nothing, you will be legally bound by all of the orders the Court issues and judgments the Court makes in this class action.

12. Why would I ask to be excluded?

You can ask to be excluded from the Class and this litigation for any reason. Excluding yourself from the class also means to "remove" yourself from the class, and is sometimes called "opting-out" of the class. By opting-out, and depending upon your legal circumstance, you may then have the right to sue FCA US in connection with the clutch system in your Class Vehicle. If you exclude yourself, you will not be legally bound by the Court's orders and judgments in this class action. If you do not exclude yourself, and FCA US prevails at trial, you will legally be bound by that outcome and be forever barred from pursuing any claims in the future related to the allegedly defective clutch system. If you exclude yourself from the class, you will not get any money or other benefits from this lawsuit, even if the Plaintiff obtains them as a result of a trial or from any settlement (that may or may not be reached) between FCA and the Plaintiff.

If you start your own lawsuit against FCA US after you exclude yourself, you may have to hire and pay your own lawyer for that lawsuit, and you will have to prove your claims. If you do exclude yourself so you can start or continue your own lawsuit against FCA US, you should talk to your own lawyer soon, because your claims may be limited by time and subject to a statute of limitations.

13. How do I ask the Court to exclude me from the class?

To be excluded, you must send an "Exclusion Request" in the form of a letter sent by mail, stating that you want to be excluded from *Victorino v. FCA US, LLC*. Be sure to include your name and address, the Vehicle Identification Number ("VIN"), the make and model of the vehicle, and sign the letter. You

must mail your Exclusion Request postmarked by December 18, 2021, to Victorino v. FCA US, LLC, c/o CPT Group, Inc., 50 Corporate Park, Irvine, CA 92606. Or you may email CPT Group, Inc. at [VictorinoVFCA@cptgroup.com](mailto:VictorinoVFCA@cptgroup.com). An Exclusion Request submitted by email is not effective until you receive and email confirmation from the Administrator.

## THE LAWYERS REPRESENTING YOU

### 14. Do I have a lawyer in this case?

The Court decided that the law firm Capstone Law APC is qualified to represent the class, and appointed it as “Class Counsel.” Capstone Law is experienced in handling similar class action cases. More information about these law firms, their practices and their lawyers’ experience is available at [www.capstonelawyers.com](http://www.capstonelawyers.com).

### 15. Should I get my own lawyer?

You do not need to hire your own lawyer because Class Counsel is working on your behalf. But, if you want your own lawyer, you will have to pay that lawyer. For example, you can ask him or her to appear in Court for you, if you want someone other than Class Counsel to speak for you.

### 16. How will the Lawyers be paid?

If Class Counsel is successful in getting money or other benefits for the class, they will ask the Court to recover their fees and expenses associated with this case. You won’t have to pay these fees and expenses out of your own pocket. If the Court grants Class Counsel’s request, the fees and expenses would be either deducted from any money obtained for the class or paid separately by FCA US.

## THE TRIAL

### 17. How and when will the Court decide who is right?

As long as the case isn’t resolved by a settlement, pretrial ruling, or otherwise, Class Counsel will have to prove the Plaintiff’s claims at a trial. The trial will take place in the United States District Court for the Southern District of California, United States Courthouse, Courtroom 2D, 221 West Broadway, San Diego, CA 92101, at a date to be determined later. We estimate that trial may commence within the next six (6) to nine (9) months, although no firm dates have been set at this time. During the trial, a Jury or the Judge will hear all of the evidence to help them reach a decision about whether the Plaintiff or Defendant are right about the claims in the lawsuit. There is no guarantee that the Plaintiff will win, or that he will get any money for the Class. Additionally, either party may choose to appeal any adverse trial determination, and therefore the lawsuit may take months or years to resolve.

### 18. Do I need to appear at trial?

You do not need to attend the trial. Class Counsel will present the case for the Plaintiff, and FCA US will present the defenses. You or your own lawyer are welcome to come at your own expense.

## GETTING MORE INFORMATION

### 19. Are more details available?

If you want more detailed information you can look at the Order Certifying the Class and operative Complaint [www.cptgroupcaseinfo.com/FCAUSLawsuit](http://www.cptgroupcaseinfo.com/FCAUSLawsuit). You may also speak to one of the lawyers by calling Class Counsel:

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***Please do not contact the Court, as the Judge will not be able to speak with you. Please also do not call counsel for FCA US unless you have opted out or excluded yourself from the lawsuit, as ethical rules provide that they may not speak to you while you are represented by Class Counsel.***