

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TERESA STRINGER, KAREN BROOKS,
WILLIAM PAPANIA, JAYNE NEWTON,
MENACHEM LANDA, ANDREA
ELIASON, BRANDON LANE, DEBBIE
O'CONNOR, MICHELLE WILLIAMS
and WAYNE BALNICKI, Individually and
on Behalf of All Others Similarly Situated,

Plaintiffs,

v.

NISSAN NORTH AMERICA, INC., and
NISSAN MOTOR CO., LTD.

Defendants.

Case No. 3:21-cv-00099

CLASS ACTION

**DECLARATION OF LANA LUCCHESI
RE: NOTICE PROCEDURES**

1 I, LANA LUCCHESI, declare and state as follows:

2
3 1. I am a Vice President with KCC Class Action Services, LLC (“KCC”), located in
4 San Rafael, California. Pursuant to the Preliminary Approval Order of Class Action Settlement (the
5 “Preliminary Approval Order”) dated October 13, 2021, the Court appointed KCC as the Claims
6 Administrator in connection with the proposed Settlement of the above-captioned Action.¹ I have
7 personal knowledge of the matters stated herein and, if called upon, could and would testify thereto.

8 **CAFA NOTIFICATION**

9 2. Pursuant to the Settlement Agreement and the Preliminary Approval Order of this
10 Court, and in compliance with the Class Action Fairness Act (“CAFA”), 28 U.S.C. Section 1715,
11 on September 16, 2021, KCC provided notice of the proposed class action settlement, along with
12 copies of the various documents required by the CAFA statute, to the officials designated by CAFA
13 to receive such notice. Specifically, KCC compiled a CD-ROM containing the following
14 documents: Class Action Complaint; Consolidated Class Action Complaint and Jury Demand;
15 Nissan North America, Inc.’s Answer to Consolidated Class Action Complaint and Jury Demand;
16 Amended Consolidated Class Action Complaint and Jury Demand; Nissan North America, Inc.’s
17 Answer to Amended Consolidated Class Action Complaint and Jury Demand; Plaintiffs’
18 Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement, Conditional
19 Certification of Settlement Class, and Approval of Class Notice (the “Motion”); Plaintiffs’
20 Memorandum of Law in Support of the Motion; The Declarations filed in Support of the Motion
21 (Declaration of Mark Greenstone and Exhibits: Settlement Agreement filed in the Action; Exhibit
22 A to Settlement Agreement – Expedited Resolution Process; Exhibit B to Settlement Agreement –
23 Claim Form; Exhibit C to Settlement Agreement – Long Form Notice; Exhibit D to Settlement
24 Agreement – Summary Notice; Exhibit E to Settlement Agreement – Proposed Preliminary
25 Approval Order; Exhibit F to Settlement Agreement – Proposed Final Approval Order and

26 ¹ All capitalized terms not otherwise defined herein shall have the meanings ascribed to them in the
27 Settlement Agreement, dated September 7, 2021 (the “Settlement Agreement”) and/or the
28 Preliminary Approval Order.

Judgment); Declaration of Mark L. Godino; Declaration of J. Gerard Stranch, IV; Declaration of Stephen R. Basser; Declaration of Lawrence Deutsch; Declaration of Ryan McDevitt; and Declaration of Carla Peak of KCC, the proposed settlement administrator, with accompanied cover letter (collectively, the “CAFA Notice Packet”). A copy of the cover letter is attached hereto as Exhibit 1.

3. On September 16, 2021, KCC caused fifty-eight (58) CAFA Notice Packets to be mailed via Priority Mail from the U.S. Post Office in Memphis, Tennessee to the parties listed on Exhibit 2, *i.e.*, the U.S. Attorney General, the Attorneys General of each of the 50 States and the District of Columbia, the Attorneys General of the 5 recognized U.S. Territories, as well as parties of interest to this Action.

4. As of the date of this Affidavit, KCC has received no response to the CAFA Notice Packet from any of the recipients identified in paragraph three above.

CLASS LIST

5. On August 27, 2021, Defendant provided KCC with Vehicle Identification Number (“VIN”) information for all Class Vehicles. Using this VIN information provided by Nissan, KCC utilized the services of a third-party vendor, IHS Markit, formerly known as R.L. Polk (“IHS”), to obtain mailing address data for the Settlement Class in preparation for mailing. A total of 3,678,257 name and address records were returned by IHS.

6. KCC identified and removed 243 records from the Class Member List. These records were removed as they were duplicative on VIN, Name, and Address. A total of 3,678,014 records remained on the Class Member List.

7. KCC withheld 112,605 records from the Notice Mailing but maintained them in the Class Member List. Of these 112,605 records, 98,711 were withheld because the address listed was that of a Nissan facility and 13,894 records had missing or incomplete address data. This left 3,565,409 records in the Class Member List to whom KCC would mail the Notice of the proposed settlement.

1 8. Next, IHS caused the addresses in the Class Member List to be updated using the
2 National Change of Address database (“NCOA”) maintained by the U.S. Postal Service (“USPS”).
3 A total of 346,834 addresses were updated. Upon receipt of the mailing address data for the
4 Settlement Class provided by IHS, KCC entered the updated Class Member List information into
5 its proprietary database and prepared a data file for the notice mailing.

6 **MAILING OF THE SETTLEMENT NOTICE PACKET**

7 9. On December 22, 2021, KCC caused the Postcard Notice to be printed and mailed
8 to the 3,565,409 names and mailing addresses in the Class List. A true and correct copy of the
9 Postcard Notice is attached hereto as Exhibit 3.

10 10. After mailing the Postcard Notice to the Class Members, KCC received 30,400
11 Postcard Notices returned by the USPS with forwarding addresses. KCC promptly caused these
12 Postcard Notices to be re-mailed to the forwarding addresses supplied by the USPS. As of the date
13 of this declaration, none of these forwarded notices were returned as undeliverable.

14 11. After mailing the Postcard Notices to the Class Members, KCC received 94,161
15 Postcard Notices returned by the USPS with undeliverable addresses. Through credit bureau and/or
16 other public source databases, KCC performed address searches for these undeliverable Postcard
17 Notices and was able to find updated addresses for 16,534 Class Members. KCC promptly re-
18 mailed Postcard Notices to the found new addresses. As of the date of this declaration, none of
19 these re-mailed notices were returned as undeliverable.

20 12. Accordingly, KCC’s records indicate that 3,487,782 of the 3,565,409 mailed
21 Notices were successfully mailed to Class Members in accordance with the Court’s Preliminary
22 Approval Order approving the notice program.

23 **SETTLEMENT WEBSITE**

24 13. On or about December 21, 2021, KCC established a website
25 [www.RoguePathfinderQX60CVTSettlement.com] dedicated to this proposed settlement to
26 provide information to the Class Members and to answer frequently asked questions. The website
27

1 URL was set forth in the Postcard Notice, Long-Form Notice, and Claim Form. Visitors to the
2 website can download copies of the Long-Form Notice, Claim Form, and other case-related
3 documents. Visitors can also submit claims online and upload supporting documentation. As of
4 February 1, 2022, the website has received 48,178 visits.

5 **TELEPHONE HOTLINE**

6
7 14. KCC established and continues to maintain a toll-free telephone number (1-855-
8 786-1043) for potential Class Members to call and obtain information about the Settlement, and/or
9 request a Long Form Notice and Claim Form. The telephone hotline became operational on
10 December 21, 2021, and is accessible 24 hours a day, 7 days a week. As of February 1, 2022, KCC
11 has received a total of 19,531 calls to the telephone hotline.

12 **CLAIM FORMS**

13
14 15. The postmark deadline for Class Members to submit a claim in this matter is March
15 22, 2022, or within thirty (30) days of a Qualifying Repair for which the Class Member seeks
16 reimbursement of the portion of parts and labor actually paid by the Class Member, whichever is
17 later. To date, KCC has received 5,725 timely-filed claim forms. KCC expects additional timely-
18 filed claims forms to arrive through the duration of the claims period. KCC has not yet reviewed
19 the claim forms and supporting information for validity.

20 **REPORT ON EXCLUSION REQUESTS RECEIVED TO DATE**

21
22 16. The Notice informs Class Members that any request for exclusion from the
23 Settlement Class must be postmarked no later than February 22, 2022. As of the date of this
24 declaration, KCC has received 135 requests for exclusion. Of these, 13 requests reflect VINs that
25 are not included in the Class List. A list of the 122 Class Members requesting to be excluded is
26 attached hereto as Exhibit 4.

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 0
- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8

- 2
- 3
- 4
- 5
- 6
- 7

8

9
0
1
2
3
4

5
6

7

8
9

Dated: February 7, 2022

Respectfully submitted,

By: s/ J. Gerard Stranch, IV
J. Gerard Stranch, IV (BPR #23045)
Benjamin A. Gastel (BPR #28699)
BRANSTETTER STRANCH & JENNINGS PLLC
223 Rosa L. Parks Avenue, Suite 200
Nashville, TN 37203
Tel: 615-254-8801
gerards@bsjfirm.com
beng@bsjfirm.com

Mark S. Greenstone (*pro hac vice*)
GREENSTONE LAW APC
1925 Century Park East, Suite 2100
Los Angeles, CA 90067
Telephone: (310) 201-9156
Facsimile: (310) 201-9160
mgreenstone@greenstonelaw.com

Marc L. Godino (*pro hac vice*)
GLANCY PRONGAY & MURRAY LLP
1925 Century Park East, Suite 2100
Los Angeles, California 90067
Telephone: (310) 201-9150
Facsimile: (310) 201-9160
mgodino@glancylaw.com

Co-Lead Class Counsel

Stephen R. Bassar (*pro hac vice*)
BARRACK, RODOS & BACINE
600 West Broadway, Suite 900
San Diego, CA 92101
sbassar@barrack.com

Lawrence Deutsch (*pro hac vice*)
BERGER MONTAGUE PC
1818 Market Street, Suite 3600
Philadelphia, PA 19103
ldeutsch@bm.net

Ryan McDevitt (*pro hac vice*)
KELLER ROHRBACK L.L.P.
1201 Third Avenue, Suite 3200
Seattle, WA 98101
mcdevitt@kellerrohrback.com

Executive Committee Counsel

John G. Emerson (*pro hac vice*)
EMERSON FIRM, PLLC
2500 Wilcrest Drive, Suite 300
Houston, TX 77042
jemerson@emersonfirm.com

Caroline Ramsey Taylor
WHITFIELD BRYSON LLP
518 Monroe Street
Nashville, TN 37208
caroline@whitfieldbryson.com

Other Plaintiffs' Counsel

CERTIFICATE OF SERVICE

The undersigned certifies the foregoing document was filed with the Court's Case Management/Electronic Case Filing System, this 7th day of February, 2022, and served upon the following counsel:

Danielle Manning
Glancy Prongay & Murray LLP
1925 Century Park East
Suite 2100
Los Angeles, CA 90067
Email: dmanning@glancylaw.com

Bradley J. Andreozzi
Faegre Drinker Biddle & Reath, LLP (Chicago Office)
191 N. Wacker Dr.
Chicago, IL 60606
Email: bradley.andreozzi@faegredrinker.com

E. Paul Cauley , Jr.
W. Vance Wittie
Faegre Drinker, Biddle & Reath, LLP (Dallas Office)
1717 Main Street
Suite 5400
Dallas, TX 75201
Email: paul.cauley@faegredrinker.com
Email: vance.wittie@faegredrinker.com

John S. Hicks
Baker, Donelson, Bearman, Caldwell & Berkowitz, PC (Nash)
211 Commerce Street
Suite 800
Nashville, TN 37201
Email: jhicks@bakerdonelson.com

By: /s/ J. Gerard Stranch, IV
J. Gerard. Stranch, IV

Exhibit 1

Faegre Drinker Biddle & Reath LLP
1717 Main Street, Suite 5400
Dallas, Texas 75201
+1 469 357 2500 main
+1 469 327 0860 fax

September 16, 2021

VIA PRIORITY MAIL

«First» «Last»
«Company»
«Address_1»
«Address_2»
«City», «State» «Zip»

Re: Notice of Proposed Class Action Settlement Pursuant to 28 U.S.C. § 1715

Dear «First» «Last»:

Faegre Drinker Biddle & Reath LLP represents Nissan North America, Inc. in a putative class action lawsuit entitled *Teresa Stringer, Karen Brooks, William Papania, Jayne Newton, Menachem Landa, Andrea Eliason, Brandon Lane, Debbie O'Connor, Michelle Williams and Wayne Balnicki, individually and on behalf of all others similarly situated v. Nissan North America, Inc., and Nissan Motor Co., Ltd.*, Case No. 3:21-cv-00099. The lawsuit is pending before the Honorable William L. Campbell in the United States District Court for the Middle District of Tennessee, Nashville Division.

Pursuant to the Class Action Fairness Act of 2005, 28 U.S.C. § 1715 *et seq.* (“CAFA”), this letter and the documents listed below (CD-ROM enclosed) constitute Notice of a Proposed Class Action Settlement by Defendant Nissan North America, Inc. (“Nissan”), through Nissan’s undersigned counsel in the above-referenced action. Nissan denies the allegations and claims asserted against it in the above-referenced action, and denies any wrongdoing or liability whatsoever with regard to the lawsuit, but it has decided to settle this action solely in order to eliminate the burden, expense, and uncertainties of further litigation.

Case Name: *Teresa Stringer, et al. v. Nissan North America, Inc., et al.*

Case Number: 3:21-cv-00099

Jurisdiction: United States District Court
Middle District of Tennessee, Nashville Division

Date Settlement
Filed with Court: September 7, 2021

In compliance with 28 U.S.C. § 1715(b), the following documents referenced below are included on the CD that is enclosed with this letter:

1. Class Action Complaint;
2. Consolidated Class Action Complaint and Jury Demand;
3. Nissan North America, Inc.'s Answer to Consolidated Class Action Complaint and Jury Demand;
4. Amended Consolidated Class Action Complaint and Jury Demand;
5. Nissan North America, Inc.'s Answer to Amended Consolidated Class Action Complaint and Jury Demand;
6. Plaintiffs' Unopposed Motion for Preliminary Approval of Class Action Settlement Agreement, Conditional Certification of Settlement Class, and Approval of Class Notice (the "Motion");
7. Plaintiffs' Memorandum of Law in Support of the Motion;
8. The Declarations filed in Support of the Motion, specifically:
 - a. Declaration of Mark Greenstone and the following Exhibits:
 - i. Settlement Agreement filed in the Action;
 1. Exhibit A to Settlement Agreement – Expedited Resolution Process;
 2. Exhibit B to Settlement Agreement – Claim Form;
 3. Exhibit C to Settlement Agreement – Long Form Notice;
 4. Exhibit D to Settlement Agreement – Summary Notice;
 5. Exhibit E to Settlement Agreement – Proposed Preliminary Approval Order;
 6. Exhibit F to Settlement Agreement – Proposed Final Approval Order and Judgment;
 - b. Declaration of Mark L. Godino;
 - c. Declaration of J. Gerard Stranch;
 - d. Declaration of Stephen R. Basser;
 - e. Declaration of Lawrence Deutsch;
 - f. Declaration of Ryan McDevitt;
 - g. Declaration of Carla Peak of KCC Class Action Services, LLC ("KCC"), the proposed settlement administrator.


September 16, 2021

Please take note that the parties have filed the operative Settlement Agreement and exhibits thereto in the above-referenced action with the United States District Court for the Middle District of Tennessee (the "Court"). The Court has not issued any written orders regarding the proposed settlement as of the date of this letter, and there are no hearings scheduled at this time.

At this time, it is not feasible to provide the names of each class member who resides in each jurisdiction. Nissan and KCC are in the process of gathering information on this issue but will not have the information until the Settlement is preliminarily approved and they are able to obtain vehicle registration data from the various State motor vehicle departments. Accordingly, pursuant to 28 U.S.C. § 1715(b)(7)(B), Nissan estimates that there are likely to be at least some 1.9 million individuals who are members of the proposed class, based on the fact that the proposed settlement concerns some 1.9 million Class Vehicles, and believes that a significant number of proposed class members may reside in all 50 States, the District of Columbia, and territories and possessions of the United States. Accordingly, we are providing notice to the responsible officials in every State, territory or possession.

If for any reason you believe the enclosed information does not fully comply with 28 U.S.C. § 1715, please contact the undersigned immediately so that Nissan can address any concerns or questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "E. Paul Cauley, Jr.", with a stylized flourish at the end.

E. Paul Cauley, Jr.

Enclosure – CD ROM

Exhibit 2

Last	First	Company	Address 1	Address 2	City	State	Zip
Garland	Merrick	Attorney General of the United States	United States Department of Justice	950 Pennsylvania Avenue, NW	Washington	DC	20530-0001
Taylor	Treg	Office of the Alaska Attorney General	P.O. Box 110300		Jeaneau	AK	99811
Marshall	Steve	Office of the Alabama Attorney General	501 Washington Avenue	PO Box 300152	Montgomery	AL	36130-0152
Rutledge	Leslie	Arkansas Attorney General Office	323 Center Street, Suite 200		Little Rock	AR	72201-2610
Brnovich	Mark	Office of the Arizona Attorney General	2005 N. Central Avenue		Phoenix	AZ	85004
CAFA Coordinator		Office of the Attorney General	Consumer Law Section	455 Golden Gate Ave., Suite 11000	San Francisco	CA	94102
Weiser	Phil	Office of the Colorado Attorney General	Ralph L. Carr Colorado Judicial Center	1300 Broadway, 10th Floor	Denver	CO	80203
Tong	William	State of Connecticut Attorney General's Office	55 Elm Street		Hartford	CT	06106
Racine	Karl A.	District of Columbia Attorney General	441 4th Street, NW, Suite 1100S		Washington	DC	20001
Jennings	Kathy	Delaware Attorney General	Carvel State Office Building	820 N. French Street	Wilmington	DE	19801
Moody	Ashley	Office of the Attorney General of Florida	The Capitol, PL-01		Tallahassee	FL	32399-1050
Carr	Chris	Office of the Georgia Attorney General	40 Capitol Square, SW		Atlanta	GA	30334-1300
Connors	Clare	Office of the Hawaii Attorney General	425 Queen Street		Honolulu	HI	96813
Miller	Tom	Iowa Attorney General	Hoover State Office Building	1305 E. Walnut Street	Des Moines	IA	50319
Wasden	Lawrence	State of Idaho Attorney General's Office	700 W. Jefferson Street, Suite 210	P.O. Box 83720	Boise	ID	83720-0010
Raoul	Kwame	Illinois Attorney General	James R. Thompson Center	100 W. Randolph Street	Chicago	IL	60601
Rokita	Todd	Indiana Attorney General's Office	Indiana Government Center South	302 West Washington Street, 5th Floor	Indianapolis	IN	46204
Schmidt	Derek	Kansas Attorney General	120 S.W. 10th Ave., 2nd Floor		Topeka	KS	66612-1597
Cameron	Daniel	Office of the Kentucky Attorney General	700 Capitol Ave	Capitol Building, Suite 118	Frankfort	KY	40601
Landry	Jeff	Office of the Louisiana Attorney General	P.O. Box 94095		Baton Rouge	LA	70804-4095
Healey	Maura	Office of the Attorney General of Massachusetts	1 Ashburton Place	20th Floor	Boston	MA	02108-1518
Frosh	Brian	Office of the Maryland Attorney General	200 St. Paul Place		Baltimore	MD	21202-2202
Frey	Aaron	Office of the Maine Attorney General	State House Station 6		Augusta	ME	04333
Nessel	Dana	Office of the Michigan Attorney General	P.O. Box 30212	525 W. Ottawa Street	Lansing	MI	48909-0212
Keith Ellison	Attorney General	Attention: CAFA Coordinator	445 Minnesota Street	Suite 1400	St. Paul	MN	55101-2131
Schmitt	Eric	Missouri Attorney General's Office	Supreme Court Building	207 W. High Street	Jefferson City	MO	65101
Fitch	Lynn	Mississippi Attorney General's Office	Department of Justice	P.O. Box 220	Jackson	MS	39205
Knudsen	Austin	Office of the Montana Attorney General	Justice Bldg., 3rd Floor	215 N. Sanders Street	Helena	MT	59620-1401
Stein	Josh	Office of the North Carolina Attorney General	Department of Justice	9001 Mail Service Center	Raleigh	NC	27602-0629
Stenehjem	Wayne	North Dakota Office of the Attorney General	State Capitol	600 E. Boulevard Avenue	Bismarck	ND	58505-0040
Peterson	Doug	Office of the Nebraska Attorney General	2115 State Capitol	P.O. Box 98920	Lincoln	NE	68509-8920
Attorney General	Acting	New Hampshire Attorney General	Hew Hampshire Department of Justice	33 Capitol Street	Concord	NH	03301-6397
Grewal	Gurbir S.	Office of the New Jersey Attorney General	Richard J. Hughes Justice Complex	25 Market Street, P.O. Box 080	Trenton	NJ	08625
Balderas	Hector	Office of the New Mexico Attorney General	P.O. Drawer 1508		Santa Fe	NM	87504-1508
Ford	Aaron	Nevada Attorney General	Old Supreme Ct. Bldg.	100 North Carson Street	Carson City	NV	89701
James	Letitia	Office of the New York Attorney General	Dept. of Law - The Capitol	2nd Floor	Albany	NY	12224
Yost	Dave	Ohio Attorney General	State Office Tower	30 E. Broad Street	Columbus	OH	43266-0410
Hunter	Mike	Oklahoma Office of the Attorney General	313 NE 21st Street		Oklahoma City	OK	73105
Rosenblum	Ellen F.	Office of the Oregon Attorney General	Justice Building	1162 Court Street, NE	Salem	OR	97301
Shapiro	Josh	Pennsylvania Office of the Attorney General	1600 Strawberry Square		Harrisburg	PA	17120
Noranha	Peter F.	Rhode Island Office of the Attorney General	150 South Main Street		Providence	RI	02903
Wilson	Alan	South Carolina Attorney General	Rembert C. Dennis Office Bldg.	P.O. Box 11549	Columbia	SC	29211-1549
Ravnsborg	Jason	South Dakota Office of the Attorney General	1302 East Highway 14, Suite 1		Pierre	SD	57501-8501
Slatery, III	Herbert H.	Tennessee Attorney General and Reporter	P.O. Box 20207		Nashville	TN	37202-0207
Paxton	Ken	Attorney General of Texas	Capitol Station	P.O. Box 12548	Austin	TX	78711-2548
Reyes	Sean	Utah Office of the Attorney General	P.O. Box 142320		Salt Lake City	UT	84114-2320
Herring	Mark	Office of the Virginia Attorney General	202 North Ninth Street		Richmond	VA	23219
Donovan	TJ	Office of the Attorney General of Vermont	109 State Street		Montpelier	VT	05609-1001
Ferguson	Bob	Washington State Office of the Attorney General	1125 Washington St SE	P.O. Box 40100	Olympia	WA	98504-0100
Kaul	Josh	Office of the Wisconsin Attorney General	Dept of Justice, State Capitol	RM 114 East P.O. Box 7857	Madison	WI	53707-7857
Morrissey	Patrick	West Virginia Attorney General	State Capitol Complex, Bldg 1	Room E-26	Charleston	WV	25305
Hill	Bridget	Office of the Wyoming Attorney General	2320 Capitol Avenue		Cheyenne	WY	82002
Ala'ilima-Utu	Fainu'ulelei Falefatu	American Samoa Gov't	Exec. Ofc. Bldg		Utulei	AS	96799
Camacho	Leevin Taitano	Office of the Attorney General, ITC Building	590 S. Marine Corps Drive	Suite 901	Tamuning	Guam	96913
Manibusan	Edward	Northern Mariana Islands Attorney General	Administration Building	PO Box 10007	Saipan	MP	96950-8907
Hernández	Domingo Emanuelli	Puerto Rico Attorney General	P.O. Box 902192	San Juan	PR	00902-0192	
George	Denise N.	Virgin Islands Attorney General, Department of Justice	34-38 Kronprindsens Gade	GERS Bldg, 2nd Floor	St. Thomas	VI	00802
Cauley, Jr.	E. Paul	Faegre Drinker Biddle & Reath LLP	1717 Main Street	Suite 5400	Dallas	TX	75201

Exhibit 3

Stringer v. Nissan North America Settlement Administrator
P.O. Box 43090
Providence, RI 02940-3090

LEGAL NOTICE

A Federal Court authorized this Notice.

**Current or former owners or lessees of
2014-2018 Nissan Rogue, 2015-2018 Nissan
Pathfinder, or 2015-2018 Infiniti QX60 vehicles
equipped with a Continuously Variable
Transmission (“CVT”):**

**Under a proposed class action Settlement,
Nissan will extend the warranty on your CVT.
You could also be eligible for reimbursement for
prior CVT repairs or replacements under the
extended warranty. Claims for reimbursement
are subject to strict timeframes.**

**This Notice is a summary only. Please read this
Notice and then visit the Settlement website or
call the number below for further important
information about the Settlement.**

1-855-786-1043

www.RoguePathfinderQX60CVTSettlement.com

«Barcode»

Postal Service: Please do not mark barcode

Claim#: NIR-«ClaimID» - «MailRec»

«First1» «Last1»

«CO»

«Addr1» «Addr2»

«City», «St» «Zip»

«Country»

NIR

What is this? You have been sent this Notice because records indicate that you purchased or leased a 2014-2018 Nissan Rogue, 2015-2018 Nissan Pathfinder, or 2015-2018 Infiniti QX60 vehicle equipped with a “CVT” or Continuously Variable Transmission (the “**Class Vehicles**”). A Settlement has been proposed in a class action lawsuit against Nissan North America, Inc. (“**NNA**”) regarding the CVT in the Class Vehicles.

What is this lawsuit about? Plaintiffs allege that the Class Vehicles have a defective CVT which can lead to poor transmission performance or failure. NNA denies Plaintiffs’ claims, and believes the litigation is without merit. The Settlement is not an admission by either side. The Court did not rule in favor of either party. Instead, the parties agreed to a proposed Settlement to avoid the expense and risks of litigation. The Settlement is subject to final approval by the Court.

Am I a Member of the Class? The proposed Settlement Class consists of those who purchased or leased Class Vehicles in the U.S. or its Territories.

What does the Settlement Provide?

- **Warranty Extension:** An extension of 24 months or 24,000 miles (whichever occurs first) of the New Vehicle Limited Warranty on your vehicle’s transmission. As part of the Warranty Extension, you may also be eligible for reimbursement of:
 - o **Repairs Made Within the Extended Warranty Period:** Reimbursement for parts and labor you paid to repair or replace your vehicle’s transmission within the time and mileage limits of the Warranty Extension (limited to \$5,000 for work done at non-Nissan/Infiniti repair shops). You must submit a Claim Form by March 22, 2022 or within 30 days of the qualifying repair, whichever is later.
 - o **Dealer Recommended Repairs:** If a Nissan or Infiniti dealer previously recommended repair or replacement of your vehicle’s transmission within the time and mileage limits of the Warranty Extension but your car was not repaired at that time, you may still be reimbursed so long as you had, or have, the recommended repair made no later than March 22, 2022 or prior to 95,000 miles, whichever occurs first. You must submit a Claim Form by March 22, 2022 or within 30 days of the qualifying repair, whichever is later.
- **Vouchers for Certain Current and Former Owners:** If you are a current or former owner of a Class Vehicle, you may receive a voucher of \$1,000 towards the purchase or lease of a new Nissan or Infiniti, if you qualify. If you are also eligible for reimbursement of repair costs, you may elect either reimbursement or a voucher, but not both.
- **Release for Nissan:** Class Members will release all transmission-related claims against NNA and related parties, as explained more fully in the Long Form Notice and Settlement Agreement.

Class Counsel will ask the Court to award up to \$6,250,000 in attorneys’ fees and expenses, and a service award of \$5,000 for each Class Representative.

The Court will decide whether to approve the Settlement at the Fairness Hearing on March 21, 2022 at 11:30 a.m. You have the right to attend the Fairness Hearing, or you may appear through an attorney of your choice.

What Are My Options?

1. **Do Nothing:** You will be in the Settlement Class, and you will automatically receive the Warranty Extension. If you are eligible for a Voucher, you will be notified. You will also be bound by the Settlement Agreement and any judgment in the case.
2. **Submit a Claim Form:** If you submit a Claim Form and otherwise qualify, you will also be reimbursed for qualifying transmission replacements or repairs made to your Class Vehicle.
3. **Object to the Settlement:** You can file a written objection by February 22, 2022 explaining what you do not like about the Settlement. Further details for objecting are contained on the settlement website.
4. **Exclude Yourself from the Settlement:** You can opt out of the Settlement by submitting your request by February 22, 2022. You will no longer be a member of the Class and will receive no benefits under the Settlement, but will retain any claims you may have against NNA. Further details for requesting exclusion are contained on the settlement website.

This Notice summarizes the Settlement. For important additional information including the full Long Form Notice, the Settlement Agreement and Claim Form, go to www.RoguePathfinderQX60CVTSettlement.com or call 1-855-786-1043.

Exhibit 4

KCC Class Action Services
Stringer v. Nissan North America, Inc.
Exclusion Report

Count

122

ClaimID	Last Name	First Name	VIN
13281433001	DELELUZZAMORA	MIGUEL	KNMAT2MT0HP598721
13244923701	GALVAN	SANDRA	JN8AS5MV9EW203981
13148716401	LOPEZ	JOSE	5N1AT2MT5GC819179
13138319001	GALEANA	URSULA	5N1AT2MT2JC769901
13103229001	VARGAS	VALENTE	5N1AR2MN6FC705058
13137040601	AMBRIZ	DAVID	5N1AT2MT2GC875242
90000008901	SANCHEZ	OCTAVIO	5N1DR2MN0HC622628
12198588001	HECHT	JONATHAN E	JN8AT2MV5HW008167
13209371601	HERNANDEZ	LUIS M	5N1DR2MN3JC640871
13246152301	GOMEZ	VERONICA	JN8AT2MT0HW136525
13215961201	HERNANDEZ	ERIKA L	5N1DR2MN7HC676945
13220678001	JARAMILLO	GERARDO CRUZ & ESMERALDA	5N1DR2MN9JC658565
11741182601	TIPTON	CECIL	JN8AS5MT3FW150985
10438080901	GARCIA	CHARLES	5N1AT2MT0FC754739
13511054301	BRANCH	JACQUELINE A	5N1AT2MV5JC801385
12198887901	GASTON	CARMEN E	JN8AT2MV5HW010100
10537674701	HUGHES	GLORIA M	5N1AT2MT3FC795690
13240735801	REYNOLDS	KATHERINE	JN8AS5MT9FW663674
11049567601	MCBRIDE	LINDA ANN	5N1AT2MV5EC840709
12364681901	BAKER	DONALD (VERA)	KNMAT2MT2FP509213
11921857401	ROSENBALM	SANDRA L	JN8AS5MV9EW201888
13015273001	LEAKE	CYNTHIA M	KNMAT2MV9HP560812
10595939001	TINSLEY	DONALD	5N1AT2MT5EC774127
11760782401	SMITH	DEBRA I	JN8AS5MT5EW607486
11311693701	HICKS	KELLY M	5N1AT2MVXFC855112
13237265401	HATTEN	MICHAEL & CAROLANN	JN8AS5MT8EW102591
11665541001	BROWN	LARRY G	5N1DR2MN7HC632993
10994774501	FLORES	JULIANNA M	5N1AT2MV4EC784097
10713687901	MICHELLE	KAY BANKS	5N1AT2MT8HC770951
10057965601	HUMPHREY	JODIE B	5N1AL0MM7GC507460
13534057301	HUTCHINSON	IAN MICHAEL	5N1AT2MVXEC839989
11181752301	WHETTEN	DENNIS MELVIN & KRISTINE	5N1AT2MV7HC817906
11460259101	KEEN	BRENDA RICE & THOMAS H	5N1DL0MNXHC556823
10499325001	FIELDS	RONNA LEE	5N1AT2MT2EC787918
13275072701	GONZALEZGARCIA	JAVIER	JN8AT2MV4HW267717
10790358101	MIESBURGER	MICHAEL FRANCIS	5N1AT2MV0EC762887
10599808401	CONN	COURTNEY L	5N1AT2MT5EC864300
90000003001	LECKER	RICHARD	JN8AS5MT2FW659109
10826897401	ETHERIDGE	JESSICA L	5N1AT2MV0HC826205
12732414801	FOOTE	MARK JAMES	KNMAT2MV2HP587298
10367569301	GARDNER	DEBORAH	5N1AR2MN9GC658352
13287550001	RODRIGUEZ	RICARDO	KNMAT2MT1JP512063

13300236601	MORALES	GARIBALDI BENJAMIN & JOSEFINA	KNMAT2MT3JP615341
13101636201	& JUAN JOSE MARTINEZ CAOBA	MARTINEZ GENOVEVA	5N1AR2MN5FC720215
13293148501	MARTINEZ	RESENDIZ ENRIQUE	KNMAT2MT2JP515019
13137973201	GUILLEN	ROBERTO	5N1AT2MT2JC712582
13273410201	IBARRAQUEVEDO	ANDRES	JN8AT2MV0HW251918
90000015601	SANCHEZ	VICTOR	5N1DR2MN8JC663935
13334138001	CAMPBELL	SABRINA CHANISE	KNMAT2MT9JP615764
13200894401	ACOSTA	RUTH	5N1DR2MM8HC695995
13310189701	CALDERON	ALICIA M	KNMAT2MT5JP512423
13339439601	FRITZAL	SUSAN J	KNMAT2MTXJP584332
13149298601	ANTUNEZ	CHRISTIAN M	5N1AT2MT5HC763164
13266193701	& HECTOR CERVANTES	SANDRA R AGUIAR	JN8AT2MT8GW027941
13134421301	& ERIKA DUENAS	BEDER NAVARRO	5N1AT2MT1JC798497
13129118001	ONTIVEROS	MARIA	5N1AT2MT0HC753853
13114714601	PAIZ	AURA P	5N1AT2ML4FC887956
13129118001	ONTIVEROS	MARIA	5N1AT2MT0HC753853
13101747001	& MARIO CHAVEZ	JAQUELINE GIL ZUNIGA	5N1AR2MN5GC608600
13094146301	ANDERSON	MARIA I & DANIEL J	5N1AR2MN1FC639809
13216965401	& SILVIA CAMPOS	JOSE QUINTANILLAMONTEAGUDO	5N1DR2MN7JC665353
13137925201	RAMIREZ	KIMBERLIN	5N1AT2MT2JC705471
13206946501	FERNANDEZ JR	MACARIO	5N1DR2MN2HC698836
11768190801	KEMPER	BERNADETTE REPALDA	JN8AS5MT5FW661646
13249727001	HARRIS	KEISHA JOY	JN8AT2MT1HW401100
10402481101	WALKER	CAROL	5N1AT2ML4FC913701
11190743301	CAPALAD	JESUS A	5N1AT2MV7JC776523
13115865001	VAZQUEZ	JAIME D	5N1AT2ML6FC850648
13322758301	REYES	OSCAR GABRIEL	KNMAT2MT7JP595305
13249770001	PEREZ	MARIO	JN8AT2MT1HW402506
13256006901	MUROCASTILLO	ADOLFO A	JN8AT2MT4GW026317
13170740101	SILVA	EDUARDO	5N1AT2MTXJC819721
12891280701	DUVALL	MICHAEL E	KNMAT2MV6HP537522
11118346701	ESPINOSA	NICOMEDE S	5N1AT2MV6GC796660
10977233701	MORRIS	PATRICIA FLORENCE	5N1AT2MV3HC801010
11289369701	FRY	VONDA LYNN	5N1AT2MV9JC731972
10562039701	JIMENEZ	MARIA ASUSENA	5N1AT2MT3JC839499
13137925201	RAMIREZ	KIMBERLIN	5N1AT2MT2JC705471
13210043501	& MIGUEL GOMEZ	INDIRA GOMEZVACA	5N1DR2MN4HC637083
10438355001	SAMACH	MICHAEL STEPHEN	5N1AT2MT0FC761576
13240997501	GONZALEZ	JULIO C & SILVIA	JN8AS5MT9FW674724
13297495201	DOMINGUEZ	MARIELA	KNMAT2MT3HP540649
13247161901	OMORUYI	MAISHA M	JN8AT2MT0HW397749
13096468201	AGUILAR	ROBIN R & ANDREW	5N1AR2MN2FC710337
13219731501	GONZALEZ	VICTORIO VIANEY	5N1DR2MN9HC680060
13165441001	LINARES	TERESA	5N1AT2MT9HC767251
13146208801	& JORGE LOMELI TORRES	JUAN C ALCAZAR JR	5N1AT2MT4JC755921
10256525901	FAN	WEIHONG	5N1AR2MMXFC654767
13302406401	LUPIAN	MARIA & ROGELIO	KNMAT2MT4GP716333
13301040501	VALDES	ENRIQUE A	KNMAT2MT4GP593164
13278698901	COUOH	ANGELICA M	KNMAT2MT0GP618674
13309831001	GARRETT	THIANNE	KNMAT2MT5HP606439

13132403201	CORTES	SAMMY	5N1AT2MT1GC772331
13180791201	LYNCH	TRICIA	5N1AT2MV9GC864403
13220573701	ROMERO	IRMA	5N1DR2MN9JC647274
13242034001	PEREZ	VALENTIN	JN8AS5MTXFW158436
13216802901	PENA	DAMARIS EDITH	5N1DR2MN7JC649203
13228651801	ORTIZ	MAURA	JN8AS5MT3EW611181
13244478101	LECHUGA	EVA M	JN8AS5MV7EW712385
13256152901	ESCOBAR	VILMA	JN8AT2MT4HW130789
13092508101	GUTIERREZ	GABRIELA	5N1AR2MN0FC653023
13235209601	MALTZ	DEBRA L	JN8AS5MT6FW665074
13316438001	WILLIAMS	KIARA SHAUNTE	KNMAT2MT6JP547598
13339114001	VILCHIS	REYNA	KNMAT2MTXJP555302
13284425401	ARREOLAPEREZ	DAVID	KNMAT2MT1GP631157
13146461901	RODRIGUEZ MEDINA	ROSA E	5N1AT2MT4JC800260
13324857401	MUNOZ	CRISTIAN I	KNMAT2MT8GP704461
13243795801	LITA	MARIBEL D	JN8AS5MV4FW250207
13354447301	& LILIANA ROSAS	ROGELIO TOSACANO	KNMAT2MVXGP713017
13220722901	RAMIREZ	MARIA A	5N1DR2MN9JC662468
13215447001	VARELA	JULIO	5N1DR2MN7HC621072
13119916001	WILLIAMS	DAVID	5N1AT2MN1GC798557
13133826201	NANEZ	ANA	5N1AT2MT1HC893569
13132846301	& ISaura MANCERA	ABEL HERNANDEZ	5N1AT2MT1GC863793
13169905201	MEJIA	SADY G	5N1AT2MTXHC864832
13261816301	OCARANZA	MARIA	JN8AT2MT6HW152065
90000011901	ARROYO	VICTORIA	JN1BJ1CP0HW034441
13322704201	CASTILLO	FERNANDO	KNMAT2MT7JP592243
10424845201	BUSH	RYAN MICHAEL	5N1AT2MN3HC825484
13603143201	LAUSCH	SHIRLEY ANN	KNMAT2MV0GP684708
13270470501	BRANDON	LISA R	JN8AT2MT9JW459655
13295409601	GALLEGOS	ALBERT J	KNMAT2MT3GP605255