

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**NOTICE OF PENDENCY OF CLASS ACTION**

IF YOU PURCHASED OR LEASED A MODEL YEAR 2011-2014 CHEVROLET AVALANCHE, SILVERADO, SUBURBAN, OR TAHOE, OR A MODEL YEAR 2011-2014 GMC SIERRA, YUKON, OR YUKON XL VEHICLE EQUIPPED WITH A GENERATION IV LC9 5.3 LITER V8 VORTEC 5300 ENGINE IN CALIFORNIA, IDAHO, OR NORTH CAROLINA, A CLASS ACTION MAY AFFECT YOUR RIGHTS

*A federal court authorized this Notice. It is not a solicitation from a lawyer.*

**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 defects in certain 2011-2014 Chevrolet Avalanche, Silverado, Suburban, Tahoe, and GMC Sierra, Yukon, and Yukon XL vehicles equipped with Generation IV LC9 5.3 Liter V8 Vortec 5300 engines (“LC9 Engines”). The lawsuit is pending in federal court in San Francisco, California (the “Court”). The purpose of this Notice is to inform you about how the lawsuit may affect your rights 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 eligible to be included in the class, the effect of participating 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>LEGAL RIGHTS AND OPTIONS</b>	
<b>ASK TO BE EXCLUDED BY JULY 7, 2022</b>	<p>If you do not want to participate in the Class, you can exclude yourself by mailing a request for exclusion by <b>JULY 7, 2022</b>. This is the only option that allows you to retain any rights you may have against GM over the claims in this case. You must send your written request for exclusion to the address listed below:</p> <p style="text-align: center;"><b>GM 5300 LC9 Class Action</b> c/o Postlethwaite &amp; Netterville P.O. Box 5124 Baton Rouge, LA 70821</p> <p>If you decide you do not want to participate in the Class and you do <u>not</u> 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>
<b>DO NOTHING AT THIS TIME</b>	<p>If you wish to remain in the class, you do not need to do anything at this time.</p>

**Any questions? visit [www.GMenginelitigation.com](http://www.GMenginelitigation.com) or call 1-888-307-8239.**

**WHAT THIS NOTICE CONTAINS**

**BACKGROUND INFORMATION..... 3**

- 1. Why is there a Notice?
- 2. What is this lawsuit about?
- 3. What is a class action and who is involved?
- 4. Why is this lawsuit a class action?

**WHO IS IN THE CLASSES..... 4**

- 5. Am I in a Class?
- 6. I am still not sure if I am included.

**YOUR RIGHTS AND OPTIONS..... 5**

- 7. How do I participate in this class action?
- 8. Why would I ask to be excluded?
- 9. How do I ask the Court to exclude me from the Classes?

**THE ATTORNEYS REPRESENTING YOU..... 6**

- 10. Do I have an attorney in this case?
- 11. Should I get my own attorney?

**GETTING MORE INFORMATION..... 6**

- 12. How do I get more information?

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### 1. Why is there a Notice?

This Notice explains that the Court has allowed or “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 Edward M. Chen of the United States District Court for the Northern District of California is overseeing this lawsuit. The lawsuit is known as *Siqueiros et al. v. General Motors, LLC*, and the case number is 3:16-cv-07244-EMC. If you receive a notice in the mail, records of state departments of motor vehicles show that you may have purchased or leased a Class Vehicle in California, Idaho, or North Carolina.

The “Class Vehicles” are: 2011-2014 Chevrolet Avalanches; 2011-2014 Chevrolet Silverados; 2011-2014 Chevrolet Suburbans; 2011-2014 Chevrolet Tahoes; 2011-2014 GMC Sierras; 2011-2014 GMC Yukons; and the 2011-2014 GMC Yukon XLs with LC9 engines and manufactured on or after February 10, 2011. Any vehicle that has already received adequate piston replacement (i.e. upgraded piston rings) is excluded from the Class.

### 2. What is this lawsuit about?

Plaintiffs allege that the LC9 Engines in the Class Vehicles contain an inherently defective piston assembly, and that the defect is manifest in every Class Vehicle causing excessive engine wear. Plaintiffs allege that excessively worn piston rings may lead to excessive oil consumption, which causes spark plug fouling, rough idling, rough acceleration, check engine light activation, engine shutdown commands from the instrument cluster, oil loss/burn and may eventually lead to permanent engine damage or shutdown.

Plaintiffs further allege that GM was aware of the alleged defect and they seek to recover economic damages. Plaintiffs are not pursuing claims for personal injuries or damage to other property.

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

The Court has not decided whether plaintiffs can prove their allegations with evidence at trial. A trial is set to start on September 14, 2022, in the United States District Court for the Northern District of California, San Francisco Courthouse, 450 Golden Gate Avenue, San Francisco, CA 94102. During the trial, the jury will hear all of the evidence and will reach a decision about whether plaintiffs have proven the merits of their claims. There is no guarantee that the plaintiffs will win, or that they will get any relief for the Classes.

You do not need to attend the trial. Plaintiffs’ counsel and the Class Representatives will present the plaintiffs’ case for the Classes, and GM will present its defenses. You or your own lawyer are free to attend the trial at your own expense.

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

In a class action lawsuit, people called the “Class Representatives” sue on behalf of themselves and other people who have similar claims. All of the people together are called a “Class” or “Class Members.” The company the Class Representatives have sued (in this case GM) is called the Defendant. One court resolves the issues for everyone in the Classes, except for those people who choose to exclude themselves from the Classes.

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

The Court decided that certain of Class Representatives’ claims against GM can proceed as a class action because they meet the requirements of Federal Rule of Civil Procedure 23, which governs

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class actions in federal courts. Specifically, the Court has allowed classes to proceed with respect to the specific claims listed below in the following three states:

<u>CERTIFIED STATE</u>	<u>CLAIM CERTIFIED</u>
California	Violation of the California Song-Beverly Consumer Warranty Act for breach of implied warranty of merchantability, Cal. Civ. Code § 1790 <i>et seq.</i>
Idaho	Violation of the Idaho Consumer Protection Act, Idaho Code Ann. §§ 48-601–48-619
North Carolina	Breach of implied warranty of merchantability under North Carolina state law

## WHO IS IN THE CLASSES

### 5. Am I in a Class?

The Court certified three classes in this case and defined the classes as follows:

- **California Class.** All current owners or lessees of a Class Vehicle who purchased or leased the vehicle in new condition in the State of California. The Court certifies the claims of the California Class for violation of the Song-Beverly Consumer Warranty Act for breach of implied warranty, Cal. Civ. Code § 1790 *et seq.*
- **North Carolina Class.** All current owners or lessees of a Class Vehicle that was purchased or leased in the State of North Carolina. The Court certifies the claims of the North Carolina Class for breach of implied warranty of merchantability.
- **Idaho Class.** All current owners or lessees of a Class Vehicle that was purchased or leased in the State of Idaho from a GM-authorized dealer. The Court certifies the claims of the Idaho Class for violation of the Idaho Consumer Protection Act, Idaho Code Ann. §§ 48-601–48-619.

**Class Vehicles** are 2011-2014 Chevrolet Avalanches; 2011-2014 Chevrolet Silverados; 2011-2014 Chevrolet Suburbans; 2011-2014 Chevrolet Tahoes; 2011-2014 GMC Sierras; 2011-2014 GMC Yukons; and the 2011-2014 GMC Yukon XLs with LC9 engines and manufactured on or after February 10, 2011. Any vehicle that has already received adequate piston replacement (i.e. upgraded piston rings) is excluded from the class.

Excluded from all of the Classes are: (1) all federal court judges who have presided over this case and any members of their immediate families; (2) all entities and natural persons that have litigated claims involving Class Vehicles against GM to final judgment; (3) all entities and natural persons who, via a settlement or otherwise, delivered to GM releases of their claims involving Class Vehicles; (4) GM’s employees, officers, directors, agents, and representatives, and their family members; and (5) all entities and natural persons who submit a valid request for exclusion following this Notice of Pendency of Class Action in this litigation.

**Any questions? visit [www.GMenginelitigation.com](http://www.GMenginelitigation.com) or call 1-888-307-8239.**

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

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

## YOUR RIGHTS AND OPTIONS

**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 7, 2022, to exclude yourself.**

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

If you fall within the definition of one of the Classes 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 plaintiffs in the case. Whether plaintiffs win or lose, you will not be able to bring individual legal claims against GM based on the same legal theories certified for class treatment in this case, 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 an unfavorable judgment is rendered in favor of GM.

### **IF YOU 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 legal 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, as a Class Member, you will have an opportunity to present an objection to the Court if you disagree with the terms of the settlement. If you stay in the Classes and plaintiffs obtain benefits for the Class Members, either as a result of the trial or a settlement, you will be notified about how to apply for benefits.

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

You may want to exclude yourself if you do not want to participate in this litigation at all. If you exclude yourself from the Classes—which means to remove yourself from the Classes, and is sometimes called “opting out” of the Classes—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 malfunctions of the same alleged vehicle defect. 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 Classes?

If you wish to be excluded from the Classes and retain all your rights, you must complete an Exclusion Request Form, available at [www.GMengine litigation.com](http://www.GMengine litigation.com) and submit it by U.S. Mail by **JULY 7, 2022**. Be sure to sign the form and complete all required information. You must send your Exclusion Request Form to the address listed below:

GM 5300 LC9 Class Action  
c/o Postlethwaite & Netterville  
P.O. Box 5124  
Baton Rouge, LA 70821

**Any questions? visit [www.GMengine litigation.com](http://www.GMengine litigation.com) or call 1-888-307-8239.**

**IF YOU CHOOSE TO BE EXCLUDED: (1) you will NOT be entitled to share in any relief from any settlement or judgment 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.**

**Only request exclusion if you do NOT wish to participate in this litigation and do NOT wish to share in any potential benefits that might be obtained on behalf of the Classes in this lawsuit.**

## THE ATTORNEYS REPRESENTING YOU

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

Adam J. Levitt, John Tangren, and Daniel Ferri of DiCello Levitt Gutzler LLC and W. Daniel “Dee” Miles, III, H. Clay Barnett, III, and Mitch Williams of Beasley, Allen, Crow, Methvin, Portis & Miles, P.C. represent the Classes and Class Members in the litigation.

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

You may make an appearance in the case through another attorney if you choose. 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 Classes and the nature of the litigation. For more information on the Classes 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://ecf.cand.uscourts.gov>; or by visiting the office of the Clerk of the Court for the United States District Court for the Northern District of California, 450 Golden Gate Avenue, San Francisco, CA 94102, between 9:00 a.m. and 4:00 p.m., Monday through Friday, excluding Court holidays.

### *Court-Appointed Class Counsel*

Adam J. Levitt John E. Tangren Daniel R. Ferri <b>DICELLO LEVITT GUTZLER LLC</b> Ten North Dearborn Street, Sixth Floor Chicago, Illinois 60602 Telephone: 312-214-7900 alevitt@dicellolevitt.com jtangren@dicellolevitt.com dferri@dicellolevitt.com	W. Daniel “Dee” Miles, III H. Clay Barnett, III J. Mitch Williams <b>BEASLEY, ALLEN, CROW, METHVIN, PORTIS &amp; MILES, P.C.</b> 272 Commerce Street Montgomery, Alabama 36104 Telephone: 334-269-2343 Dee.Miles@Beasleyallen.com Clay.Barnett@BeasleyAllen.com Mitch.Williams@beasleyallen.com
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*Notice Administrator*

GM 5300 LC9 Class Action  
c/o Postlethwaite & Netterville  
P.O. Box 5124  
Baton Rouge, LA 70821

**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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