

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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IN RE: MERCEDES-BENZ )  
ANTITRUST LITIGATION )  
\_\_\_\_\_ )

Master File No. 99-4311 (AMW)

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This Document Relates To: )  
ALL ACTIONS )  
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**[PROPOSED] ORDER RE: PLAINTIFFS' EXPEDITED MOTION TO COMPEL  
DEFENDANTS TO PROVIDE ADDITIONAL INFORMATION CONCERNING THE  
IDENTITY AND LAST KNOWN ADDRESSES OF CLASS MEMBERS**

AND NOW, this 30<sup>th</sup> day of JUNE, 2003, upon consideration of

Plaintiffs' Expedited Motion to Compel Defendants to Provide Additional Information

Concerning the Identity and Last Known Addresses of Class Members, it is hereby ORDERED  
and DECREED as follows:

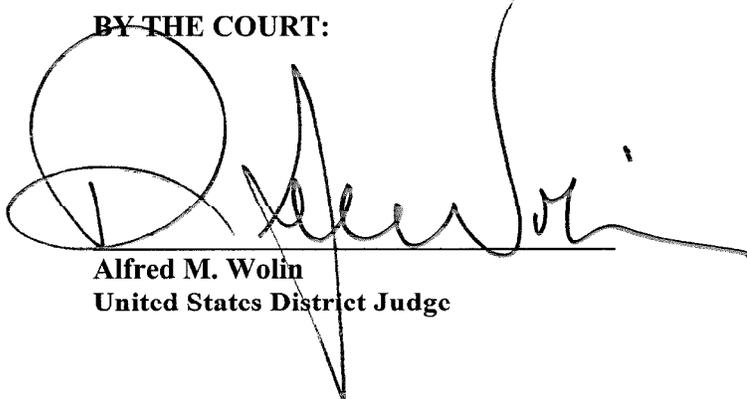
1. Each defendant shall file and serve, by no later than Thursday, July 3, 2003, a separate affidavit executed by an employee or principal with first hand knowledge of whether, and the form in which, each defendant possesses information identifying potential class members. The Affidavit shall include the following information: (a) the extent to which the names and last known addresses of any and all potential class members are within each defendant's possession, custody and control; (b) the form in which such information is maintained (computerized, hard copy, etc.), and the period of time for which the information exists in each form identified; (c) where the information is stored or located and, if such information exists only in non-computerized form, the approximate volume of such documents; (d) the extent to which the names and last known addresses of class members are retained by any defendant so as to make the notifications required under the National Traffic and Vehicle Motor

Safety Act (49 U.S.C. §§ 30118 and 30119), and the related NHTSA regulations (49.C.F.R. § 577, et seq.); and (d) if any such information relating to actual or potential class members once existed or was in the defendant's possession in computerized or non-computerized form, but is no longer, an explanation of the circumstances.

2. Any party wishing to be heard shall file and serve by no later than Wednesday, July 9, 2003, a brief addressing the following issues: (a) the information and data that each defendant should be required to produce which identifies the names and last known addresses of potential class members; (b) the date by which such information should be produced; (c) the form in which such information should be produced; (d) how the expense of producing and computerizing such information to facilitate the mailing of notice to potential class members should be allocated among the parties.

3. The Hearing on Plaintiffs' Motion for Preliminary Approval of the class action settlement with certain Defendants; for Approval of Notice to the class, and for Production of Records Identifying class members shall be held on July 14, 2003, at 10:00 a.m.

**BY THE COURT:**



Alfred M. Wolin  
United States District Judge