

Volkswagen “Clean” Diesel Litigation

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Related Practice Areas: **Consumer Claims**

On 18 September 2015, the U.S. Environmental Protection Agency (“EPA”) issued a notice of violation against Volkswagen AG, Audi AG, and Volkswagen Group of America for manufacturing and installing defeat devices in 500,000 diesel vehicles in the United States. Since the publication of the notice of violation it has come to light that for at least a decade, top executives at Volkswagen and Bosch collaborated to rig diesel vehicles to beat emissions tests, while emitting up to 40 times the regulated amount of Nitrogen Oxide (NOx) emissions. Over 11 million vehicles have been affected worldwide. Hausfeld has been working with numerous partners including law firms, NGOs, consumer groups, and parliamentarians on both sides of the Atlantic to remedy this historic and global fraud.

For us, the Volkswagen matter is about more than compensating consumers for the fraud Volkswagen and its allies perpetrated. It is about seeking redress for the global environmental damage, addressing the effects on human health, and changing the political and legal landscape so that companies are held accountable and deterred from similar conduct in the future. Our efforts and successes include:

- As a part of the Plaintiffs’ Steering Committee, Hausfeld has helped secure a \$15 billion settlement in the United States to compensate owners of 2.0L Volkswagen vehicles, provide funding to reduce NOx emissions, and for research on zero emissions technology.
- Hausfeld is seeking compensation on behalf of European consumers through actions in German courts. Hausfeld has been retained by myRight to pursue claims on behalf of affected Volkswagen owners. European owners can register their claims, with no out-of-pocket costs, at www.myright.com or www.my-right.de.
- Retaining experts economists and engineers. Although the investigative work is ongoing, some preliminary reports are publically available here:
 - Oxera Report
 - Report of Engineer David Foster from March 2016

- Corresponding with Volkswagen and Bosch for documents and settlement. Our correspondence with Volkswagen and Bosch is available here:
 - Letter to Volkswagen of 14 March 2016
 - Letter to Volkswagen of 31 March 2016
 - Letter to Volkswagen of 21 April 2016
 - Letter to Volkswagen of 18 July 2016
 - Letter to Volkswagen of 13 September 2016
 - Letter to Bosch of 13 September 2016
 - Volkswagen Letter to Hausfeld of 4 August 2016
 - Volkswagen Letter to Hausfeld of 7 July 2016
 - Volkswagen Letter to Hausfeld of 31 August 2016

- Working with O'Dwyer Solicitors in the claims of Eithne Higgins. On 6 June 2016, Judge Mary Devins of the Castlebar District Court in Ireland had ordered Volkswagen to produce “documentary, technical, expert, original evidence” on the NOx and CO2 emissions issues affecting Ms. Higgins’s Seat Leon – a VW-brand car. Six weeks later, Volkswagen produced a series of letters and press releases that failed to properly respond to the order. Hausfeld stepped in to help Mr. O’Dwyer. With our help, Mr. O’Dwyer filed reports by Hausfeld Partner Michael Lehmann, and by experts in economics and engineering, including a report by Nobel Prize Winning economist Joseph Stiglitz, appended to the report of Robin Noble. Despite being ordered to appear, Volkswagen’s expert failed to show up in court for cross-examination. In what Judge Devins called “bizarrely stunt-like behavior,” Volkswagen’s lawyers walked out of the courtroom.
 - Press clippings on the Irish Proceedings are Available Here
 - Michael Lehmann’s Affidavit
 - Robin Noble’s Report
 - Joseph Stiglitz’s Report
 - Dr. Calvert Stinton’s Report

- Representing the Center for Auto Safety. From the initial unraveling of this conduct Hausfeld has sought to ensure that the environmental and human health harms are not ignored. Hausfeld filed claims for injunctive relief on behalf of the Center for Auto Safety, demanding not financial compensation but other forms of environmental redress. In the U.S., Hausfeld was appointed to the environment committee of the Plaintiffs’ Steering Committee, which helped secure \$2.7 billion to reduce NOx emissions and \$2 billion for zero emissions technology as part of the class action settlement.

- Working with environmental groups to combat the environmental and human health effects of the excess emissions. See Public health impacts of excess NOx emissions from Volkswagen diesel passenger vehicles in Germany.

Related Press Releases:

- Historic Settlement with VW Provides Roadmap for European Resolution
- Hausfeld Asks Volkswagen to Explain its Mistreatment of the European Judicial Process

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