



**NATIONAL CENTER FOR DISPUTE SETTLEMENT'S ARBITRATION PROGRAM
FOR
CLASS ACTION SETTLEMENT ADMINISTRATOR (hereinafter referred to as "SA")
KOJIKIAN - OIL CONSUMPTION CLASS ACTION SETTLEMENT
(*Kojikian et al v American Honda Motor Co., Inc., Case No. BC 606392,*
Superior Court of the State of California, County of Los Angeles)**

PROGRAM OVERVIEW

The National Center for Dispute Settlement ("NCDS") is the neutral administrator of automobile warranty disputes for various automobile manufacturers. To protect neutrality and impartiality during the arbitration process, the funding for NCDS staff and its administrative costs are committed in advance by the applicable automobile manufacturer. NCDS staff are independent of the automobile manufacturers. The arbitrators are neutral, independent contractors and are not employees of NCDS or the automobile manufacturer.

Pursuant to the settlement of a class action lawsuit concerning oil consumption on the following Acura vehicles:

2010 - 2013 Acura MDX
2011 - 2012 Acura RL
2009 - 2014 Acura TL
2010 - 2013 Acura ZDX

Eligible Class Members: All CURRENT and FORMER owners of the above noted vehicles who are outside the warranty parameters, but within the eligible reimbursement period, and incurred out-of-pocket expenses.

Eligible Reimbursements: Only applies to out-of-pocket costs incurred *prior* to February 28, 2020

Eligible Repairs: Piston and/or Piston Ring repairs within the warranty period of 8 years or 125,000 miles

You can get more information regarding the particulars of the class action at: www.acuraoilconsumptionsettlement.com.

The SA is providing a process for appeal of a denial of a claim to the National Center for Dispute Settlement ("NCDS"); provided, however, that Class Members must first have filed their claim directly with the SA. If the parties are unable to resolve the dispute, the Claimant may then appeal the denial of the Claim to NCDS, provided that such appeal must be filed within **sixty (60) days** of final denial by the SA. Any decision of the matter by the Arbitrator Panel is final and binding upon the Parties. The appeal to NCDS will be resolved without a formal hearing or trial process; thus, a documents-only review will be conducted by the appointed Arbitrator Panel. The SA will pay any cost charged by NCDS for the administration of the

arbitration matter; however, each Party is solely responsible for paying his, her or its respective attorney's fees, costs and expenses if he, she or it decides to retain counsel.

If you are appealing the denial of your request for reimbursement for out-of-pocket expenses related to oil consumption issues for the aforementioned vehicles, and are a Class Member, this document will provide you with information regarding the NCDS arbitration program available to assist in resolving the outstanding dispute with the SA.

Beginning the Process:

Settlement Class Members can start the NCDS arbitration process by eFiling a claim online at: <https://www.ncdsusa.org/consumers/automotive-warranty-disputes/AHMClassAction/> or by printing and completing the claim form and sending it to NCDS by email, fax, or mail.

Please note, to expedite the handling of your claim, we encourage you to eFile your new claim.

You will need to provide the following important information to submit your claim:

1. The Settlement Class Member's complete name and address (as shown on the title of the vehicle);
2. The Vehicle Identification Number (VIN) of the vehicle;
3. The Year, Make, and Model of the vehicle;
4. Copy of the claim filed with the SA under the Kojikian Class Action Settlement
5. Proof of payment for repairs incurred and payment made by you (i.e., copies of Repair Orders, Invoices, or other statements showing, in detail, the repairs made to the vehicle that fall under the Kojikian Class Action Settlement; and
6. Copies of any/all claim denial documents from the SA

It is important that you submit, at a minimum, the detailed information listed above in order to commence your appeal claim. Once NCDS receives your appeal claim, a copy will be provided to the SA. The role of NCDS is to serve as the conduit between the parties for the exchange of documents. NCDS has no decision-making authority in these matters.

What is Arbitration?

Arbitration under the Class Settlement Agreement is a process under which the SA and the Class Member who has filed an appeal of a denial of their claim by the SA, will present their respective positions in writing to NCDS. NCDS will appoint a neutral third party, Arbitrator Panel to review all the evidence presented by both the SA and the Class Member. The Arbitrator Panel will issue a written decision, which will be provided to NCDS, for disbursement to the SA and the Class Member. The Arbitrator Panel's written decision is binding upon both the SA and the Class Member. There is no appeal process of the Arbitrator Panel's written decision and there is no relief available in further legal proceedings.

The Arbitrator Panel's authority under the program is outlined in the NCDS - Kojikian Class Action Settlement Rules.

Who are the Arbitrator Panel Members?

The NCDS Arbitrators are neutral, independent contractor individuals with arbitration experience, who are interested in the fair and expeditious resolution of consumer disputes. The Arbitrators are trained by NCDS to conduct arbitrations in accordance with the Code of Ethics for Commercial Arbitrators, and pursuant to the authority as outlined in the NCDS - Kojikian Class Action Settlement Rules and set forth in the Class Action Settlement terms.

The NCDS Arbitrators may or may not have automotive experience. Biographies of the appointed Arbitrator Panel will be provided to the parties upon appointment. No Arbitrator will be an employee or agent of either party, and no member of the Arbitrator Panel will have direct involvement in the manufacture, distribution, sales and/or service of automobiles. NCDS selects the Arbitrators in a neutral manner. If any one of the appointed Arbitrator Panel determines that he or she cannot make an unbiased decision, he or she will be recused from deciding the case.

How will the Arbitrator Panel make the decision?

The Arbitrator Panel will make the decision based solely on the written submissions of the Class Member and the SA. Initial submissions will be disbursed to the parties by NCDS for rebuttal statements prior to all submissions being sent to the Arbitrator Panel. Each party should be prepared to present evidence to support their position, in writing, to the Arbitrator Panel.

Preparing your evidence:

Upon the filing of your claim with NCDS, you should be prepared to submit to NCDS a copy of all documents you wish the Arbitrator Panel to consider. If you have witness statements, it is your obligation to contact the witness for the submission of their evidence and it is your obligation to submit any witness documents to NCDS.

Documents that may be beneficial to file with your claim would be:

- Copy of documents associated with acceptance into Class Action Settlement matter
- Copy of denial of claim from the SA
- Proof of prior or current ownership of vehicle or lease (i.e., sales agreement, lease document, title)
- Vehicle's warranty information
- Vehicle's repair/service and maintenance records
- Correspondence and receipts from the parties, dealers, repair facilities, or representatives
- Any and all other documents and/or photos that may support your case
- Your written statement/testimony regarding the vehicle problems as it relates to the Kojikian Class Action
- Why you believe the problems with the vehicle fall under the Kojikian Class Action
- Why you believe the problems with the vehicle are not caused by abuse, neglect or accident

The SA representative will also address these matters from the SA's position. Then all evidence submitted by the parties will be sent to the appointed Arbitrator Panel for rendering of a decision within the timeframe noted in the rules. NCDS will disburse the decision to the parties thereafter in accordance with the rules.