



**NATIONAL CENTER FOR DISPUTE SETTLEMENT'S ARBITRATION PROGRAM  
FOR  
CLASS ACTION SETTLEMENT ADMINISTRATOR (hereinafter referred to as "SA")  
FATH - OIL DILUTION CLASS ACTION SETTLEMENT  
(*Fath et al v American Honda Motor Co., Inc., Case No. 18-cv-01549-NEB-LIB (D. Minn.)*)**

**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 dilution on the following Honda vehicles:

2017 - 2018 Honda CR-Vs equipped with a 1.5 liter turbocharged engine; and  
2016 - 2018 Honda Civics equipped with a 1.5 liter turbocharged engine

**Eligible Class Members:** All current or former owner or lessee of one of the Honda class vehicles purchased or leased in the United States, Puerto Rico, or any of the United States Territories.

**Eligible Reimbursements:** Towing Expenses, excessive Oil Change Expenses for CEL indicator (>5,000 miles), and Past Diagnostic Costs for MIL (Max \$250) prior to March 13, 2020.

**Eligible Repairs Under Warranty:** 1) Powertrain Limited Warranty is being extended to cover the oil dilution condition repairs up to 6 years/without mileage limitation; 2) PUD will be offered for Cold Weather States (AK, CT, IL, IN, ME, MA, MI, MN, MT, NB, NH, NJ, ND, NY, OH, PA, RI, SD, VT, WI).

You can get more information regarding the particulars of the class action at: [www.oildilutionsettlement.com](http://www.oildilutionsettlement.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 **ninety (90) days** of final denial by the SA. Any decision of the matter by the Arbitrator 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. 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 dilution 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 Fath Class Action Settlement
5. Proof of payment for expenses or 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 Fath 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 to review all the written evidence presented by both the SA and the Class Member. The Arbitrator will issue a written decision, which will be provided to NCDS, for disbursement to the SA and the Class Member. The Arbitrator's written decision is binding upon both the SA and the Class Member. There is no appeal process of the Arbitrator's written decision and there is no relief available in further legal proceedings.

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

### **Who are the Arbitrators?**

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 - Fath Class Action Settlement Rules and set forth in the Fath - Class Action Settlement terms.

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

### **How will the Arbitrator make the decision?**

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

### **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 to consider. If you have witness statements, it is your obligation to contact the witness for the submission of their written 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 Fath Class Action
- Why you believe the problems with the vehicle fall under the Fath 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 written evidence submitted by the parties will be sent to the appointed Arbitrator 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.