

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

Case No. 1:17-cv-21087-FAM

GEORGE TERSHAKOVEC, *et al.*,  
individually and on behalf of all others  
similarly situated,

Plaintiffs,

v.

FORD MOTOR COMPANY,

Defendant.

**ORDER GRANTING PLAINTIFFS' MOTION TO APPROVE  
THE FORM AND MANNER OF CLASS NOTICE (D.E. 259)**

This CAUSE came before the Court upon the Plaintiffs' Motion to Approve the Form and Manner of Class Notice (D.E. 259), filed on October 6, 2021.

THE COURT has considered the motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is

ORDERED and ADJUDGED that the Motion (D.E. 259) is GRANTED [IN PART], as follows:

1. The State Classes are defined as all persons who purchased a Class Vehicle from a Ford-authorized dealer or distributor located in [insert state here] on or before April 27, 2016.
2. That the New York State Class also includes those persons who purchased a Class Vehicle within the Class Period from Overseas Military Sale Corp d/b/a Military AutoSource.

2. The Court approves the Short Form Notice as set forth in Exhibit B to the Declaration of Jennifer M. Keough.

3. The Court approves the Long Form Notice as set forth in Exhibit C to the Declaration of Jennifer M. Keough.

4. Class Counsel, working with the Notice Administrator and without seeking further approval by the Court, may make non-material modifications, as appropriate, to the forms of the notice to make them accurate and complete, so long as those modifications substantially comport with the descriptions of the notices provided in the Declaration of Jennifer M. Keough. Modifications to the forms of the notice shall be agreed upon by the Parties or, if the Parties are unable to agree, shall be by Court Order.

5. The Court appoints JND Legal Administration as the Notice Administrator.

6. The Court approves the remaining aspects of the Notice Program as described in the Declaration of Jennifer M. Keough, and directs Plaintiffs and the Notice Administrator to implement the Program, including the following:

a. Mailing of Class Notice shall be completed within 60 days after the date of this Order (“Notice Start Date”); and

b. The deadline for JND Legal Administration to send revised undeliverable notices to class members shall be 24 days after the Notice Start Date.

7. The deadline for Class Members to request exclusion from the State Classes shall be 114 days from the date of this Order. This deadline is the date by which requests for exclusion by a Class Member must be postmarked and not the date the exclusion is received by the Notice Administrator.

8. The internet address for the Notice website shall be set as “shelbygt350mustanglitigation.com”.
9. The content of the Notice website will be determined by agreement of the parties, or by Court order if the parties cannot agree.
10. Class Counsel will bear the costs of the Notice Program.
11. The Court finds that the dissemination of the Notice under the terms and in the format provided for in this Order satisfies the requirements of Fed. R. Civ. P. Rule 23(c)(2) for notice in Rule 23(b)(3) class actions and constitutes the best notice practicable under the circumstances.
12. JND Legal Administration, through data aggregators or otherwise, is authorized to request, obtain and utilize vehicle registration information from the Department of Motor Vehicles for all 50 states and the District of Columbia for the purposes of identifying the identity of and contact information for purchasers and lessees of Class Vehicles. Vehicle registration information includes, but is not limited to, owner/lessee name and address information, registration date, year, make, and model of the vehicle.

DONE AND ORDERED in Chambers at Miami, Florida this 25<sup>th</sup> day of January, 2022.

  
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FEDERICO A. MORENO UNITED  
STATES DISTRICT JUDGE