

EXHIBIT 4G

Comments Received by Department of Justice

(VW-2LCMT0000830-VW-2LCMT0001630)

From: Chaan Beard
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 7:18:56 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Reference No. 90-5-2-1-11386

To: Assistant Attorney General, Environment and Natural Resources Division

This case has been unprecedented in terms of how rapidly it has progressed from where it was to where it now is and as I write this, on the eve of Judge Breyers preliminary approval of the settlement, I am left with a rapid desire to see closure of this matter to a reasonable level of satisfaction for those of us classed as the victims of this whole unfortunate affair.

I must congratulate all involved in this matter for the relatively unprecedented speed this matter is progressing at.

I have for some time now been involved in the technical deep dive with the University of Bern and various engineers within Volkswagen that led to the Swiss government itself banning all Diesel cars made by the Volkswagen Audi Group (VAG) of companies, based on the stark reality of the data gathered on the matter of diesel engine pollution.

This is because there is no real viable fix unless VAG spends in excess of \$54,000 per vehicle and also guarantees free replacement of parts in the engine and catalytic convertor systems et al during the working life of these diesel engines.

I will not bore you with the technical details, but suffice to say that in the light of the metamorphosis that each vehicle will undergo (to effect a fix), the resulting performance and experience will most certainly not be comparable or even near to that which I, as the owner of an Audi TDI currently enjoy, albeit at the cost of the proven pollution.

As such, I want to bring up an angle to this whole drama that actually needs more light and attention thrown on the matter from the perspective of the Government agency that actually allowed this situation to be the reality we have experienced as victims of this scandal.

In my mind's eye, Volkswagen Audi Group are not the only ones that should bear blame in this affair and in fact the EPA itself, in my humble opinion are MORE at fault than VAG given that the events unfolded the way they did, factoring in the hilarious self-regulation aspect that many in the automotive manufacturing industry have grown accustomed to abusing as witnessed by this particular debacle as a proof in point.

I personally feel that the EPA itself should also contribute an equal compensation number to that already agreed by the court and VAG by way of deep federal incentives to replace these vehicles with electric powered vehicles, should the various owners so desire that option.

Currently, obtaining such an EV does not offer much incentive as many of us do not even qualify for the full \$7500 tax credit on these vehicles.

In this particular case I feel the EPA should compensate owners of these diesel vehicles with a credit equal to the VAG settlement number.

The EPA failed us the people and I want to know what remedy and relief those affected by this fact are to expect in this particular matter.

There are enough of us that are inclined to pursue a separate class action lawsuit against the EPA in this regard, but given this will in effect be the people vs the Government of the USA, a certain amount of pragmatic realism has to be baked in to the overall context as this could probably drag on for most of eternity.

However, please know and be cognizant of the fact that we the people affected by the EPA failing in this matter are not amused and something meaningful needs to be seen to be done in this regard to recognize that the EPA failed the people in a pretty spectacular manner.

I think further incentives for zero emission EV purchases is the road that the EPA needs to take for those impacted by this scandal, as the changes the EPA has made to date does not satisfy their lack of admission of failing us by the common sense changes that were made as a direct result of this debacle .

In short, it falls short of what the right thing to do should be.

I hope some group has been assembled to go into this aspect and that it will deliver more than the usual meaningless post facto rhetoric.

To date I have not seen much focus on the EPA side of what failed us here and as we move on from the VW Settlement phase I expect that to change dramatically.

In fact, given the revelations that came out of this whole affair, I am wondering what else is wrong with the EPA and how many other such situations in other areas there are exactly....

In short I have a pretty deep suspicion that the EPA has been wasting taxpayers money in a pretty damning fashion in its own right. This affair has left me in no doubt whatsoever that they are not serving the interests of American taxpayers very well at all and given the facts that have come to light in this matter would like to suggest the EPA be abandoned and replaced with newer and more current scientists, process and strictly enforced policing of the regulations.

If the EPA cannot afford to hire the right resources or have the funds to police their regulations then it should not exist at all.

We can easily start a bureau of American Standards that can cover the legal and scientific aspect of what the EPA does today if policing the regulations proves difficult.

In fact I am wondering why the EPA has not been replaced by such a body in any event!?

Regards

Chaan W Beard
[REDACTED]

From: Abby Bleything
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 3:17:49 PM
Subject: Submitting comments on the eligible uses of VW funds. Case No: MDL No. 2672 CRB (JSC)

As a part of the NOX mitigation funds it would be advantageous to consider technologies that could reduce the environmental impact of the current fleet including funding retrofits of heavy duty fleet vehicles with cleaner technologies including, but not limited to, regenerative braking, onboard idle reduction equipment, alternative fuel engines, and freight wings/aerodynamic fairing. Making the settlement funds available for these types of improvements combined with the replacement of inefficient vehicles would have a greater reach and, therefore, impact than the latter alone.

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From: Michael Christie
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 9:07:15 AM
Subject: VW Settlement

Thank you For Pursuing Legal Action against VW. As a 30 year owner of VW/Audi products, I am not surprised that they tried to cheat on emissions standards. I am concerned about the durability of any fixes on these vehicles. As a TDI owner I will be taking the buyback. I found the settlement to be reasonable and a win for the environment.

Regards,

Michael Christie

July 13, 2016

Assistant Attorney General
U.S. DOJ—ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

**Subject: Comments on the partial consent decree between plaintiffs and Volkswagen entities
(MDL No. 2672 CRB [JSC])**

To whom it may concern:

This letter provides comments on the partial consent decree between plaintiffs and Volkswagen entities (MDL No. 2672 CRB [JSC]), filed 28 June 2016.

I own one of the affected vehicles, a 2011 Volkswagen Golf TDI, which I bought new in October 2010. I have reviewed with interest the partial consent decree and have two comments.

Comment 1. The partial consent decree Retail Replacement Value fails to equitably address tax costs that will be incurred by owners when replacing a bought-back vehicle.

In my jurisdiction in Washington, I will incur a 10.1 percent tax on the price of a replacement vehicle. This is in contrast to a resident of the neighboring state of Oregon, where the tax rate is 0 percent. While exact tax rates may vary by jurisdiction within a state, the tax rate a buyer within a state will incur on a replacement vehicle can be generally estimated to within one or two percent and should be used as an adjustment to the Retail Replacement Value. This would provide a more equitable and realistic replacement cost.

Comment 2. Under Section 7.2 of Appendix A of the partial consent decree, the requirement prohibiting Volkswagen from exporting vehicles that cannot be fixed to EPA/CARB standards, may be environmentally detrimental and requires scientific justification compared with other alternatives for vehicle disposition. The requirement may lead to hundreds of thousands of vehicles ending up in U.S. landfills.

At the June 28, 2016 news conference announcing the proposed settlement, Environmental Protection Agency (EPA) Administrator Gina McCarthy stated in response to a journalist's question about the disposition of buyback vehicles: "These are not going to be shipped elsewhere in their current form. This is about taking care of the air pollution that was emitted here in the U.S., but we are not shipping that air pollution elsewhere." The last part of this quote sounds more like a slogan than science. In the White House Memorandum on Scientific Integrity, dated 9 March 2009, President Obama states:

Ross A. Dimmick
[REDACTED]

“Science and the scientific process must inform and guide decisions of my Administration on a wide range of issues, including improvement of public health, protection of the environment, increased efficiency in the use of energy and other resources, mitigation of the threat of climate change, and protection of national security.”

Where is the science that leads EPA to believe it is improving public health, protecting the environment, more efficiently using energy and other resources, and mitigating the threat of climate change by requiring that unmodified vehicles be scrapped? Several facts lead me to question EPA’s position:

1. The manufacture of a comparable vehicle to replace those removed from the road will require natural resources, including metals and fossil fuels, and consume energy that will generate greenhouse gases. In its September 2010 report, Argonne National Laboratory estimates CO₂ emissions from part manufacturing and assembly at 2,000 kg per vehicle. Manufacture of 500,000 replacement vehicles therefore would result in CO₂ emissions of **1 billion kg**. It makes no difference from a climate change perspective whether replacement vehicles are manufactured in North America, Europe, or Asia; it is an environmental cost that would have to be offset by benefits from reduced NO_x.
2. These TDIs are late-model vehicles that are known to be safe, fuel efficient, and have relatively low emissions, with the notable exception of NO_x. In a case where these vehicles were to be used to replace vehicles of lower safety standards, lower fuel efficiency, and/or greater emissions, there could be a net benefit to the environment. This was part of the justification in the U.S. for the Car Allowance Rebate System, more commonly known as “Cash for Clunkers,” in 2009. Salvaging or scrapping the vehicles would deprive another country of an opportunity to implement its own “Cash for Clunkers,” a program that would potentially put into the hands of low-income individuals a late-model, U.S.-safety-specification vehicle that would otherwise be unaffordable. If a foreign government were to decide that these vehicles, unmodified (or with a lesser modification, as has been approved in Europe), could enhance their environment or benefit their citizens socioeconomically, why should the EPA refuse to let Volkswagen export the vehicles? If a foreign government were to decide that a rapid influx of these vehicles to their country would serve as an economic incentive to promote widespread adoption of ultra-low sulfur diesel (which recalled TDIs require), resulting in reduced emissions from *all* diesel engines, would EPA still maintain that salvaging or scrapping the vehicles is environmentally preferable? Does the science indicate that EPA’s position of “we are not shipping that air pollution elsewhere” is consistent with EPA’s mission in such a case? Ultimately, Volkswagen may not want to flood other markets with used TDIs, potentially lowering demand for new Volkswagens, but I do not believe that it is in the environmental interest of the U.S. Federal government to prohibit them from doing so. I see a creative export arrangement, possibly with the assistance of a non-governmental organization, potentially benefitting the environment and providing efficient transportation options to needy individuals and families.

Ross A. Dimmick



Page 3

3. Under the current terms of the partial consent decree, unmodifiable vehicles bought back from customers would appear to have two potential fates, each with negative environmental consequences:

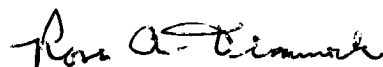
- Salvage. Salvaging the subject vehicles, either for used parts or raw materials, is an energy-intensive process, generating its own greenhouse gas emissions.
- Landfills or “boneyards.” Beyond removal of a few high-value or easily recyclable parts, Volkswagen, or a company that Volkswagen might contract for vehicle disposition under terms of the partial consent decree, may determine that the net cost of salvaging the subject vehicles is greater than the cost of disposal. As a result, hundreds of thousands of vehicles might simply end up in U.S. landfills or stacked in “boneyards,” such as those used for aircraft in the desert southwest. The partial consent decree does not prohibit vehicle disposal in this manner—it only states that Volkswagen “may” salvage the vehicles and resell the parts. The supply of used parts would likely far exceed demand, certainly within a TDI-depleted U.S. and Canadian market, and with vehicle components that might not be compatible with a majority of foreign-specification models. Since these vehicles cannot be exported to lower-wage countries where the labor-intensive process of dismantling a car for recycling can be performed cheaply, Volkswagen may simply choose to dispose of bought-back vehicles in the lowest-cost manner.

4. While EPA may intend to use Section 7.2 of Appendix A of the partial consent decree to pressure Volkswagen into developing a compliant emissions modification because of the enormous difference in value between a modified vehicle (eligible for domestic resale) versus a salvage vehicle, the fact that such a modification does not yet exist leads to a real possibility that it is not feasible (i.e., cost of modification exceeds the value of the car). This is most likely the case for Generation 1 vehicles, which have the lowest resale value and lack a urea tank. As the value of these vehicles continues to drop due to age and mileage, the likelihood of a feasible fix drops as well.

Though EPA is exempt from *National Environmental Policy Act* reviews for actions taken under the *Clean Air Act*, I would submit that the disposition of up to one-half million vehicles should be subject to a voluntary Environmental Assessment, as described in EPA’s Policy and Procedures at 63 Federal Register 58045. As stated in the regulations, a voluntary NEPA document can be useful in situations “where the NEPA process can facilitate analysis of environmental impacts.” Only through such an analysis can the intent of President Obama’s Memorandum on Scientific Integrity be met.

I appreciate the opportunity to comment on the partial consent decree.

Sincerely,



Ross A. Dimmick

Ross A. Dimmick





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From: Finis Thomas
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:15:08 AM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

To Whom It May Concern;

I apologize in advance for a duplicate copy of this e-mail. I just read an article that prompted me to send the original e-mail. Thereafter, I read the official notice and saw that I did not put the appropriate reference in the Subject line of my e-mail. Below is the e-mail in case the original was sent immediately to the trash for non-compliance of format.

The ridiculous thing about this is that the first reports were stating that it will cost VW close to 10.3 BILLION dollars with the majority of it going to the consumers. If you round up, there are 500,000 cars affected, and if you give ALL of the owners the max, \$7,000 (reported at the time); that only comes to \$3.5 Billion. Where is the other \$7 Billion going? 3.5B is a far cry from the majority going to affected users.

The government is cashing in on this and giving the people scraps. Yes, 7K (at the max) is nice, but don't forget about taxes. So the government is taking some of that as well. If you're one of the lucky few to receive 7K, you'll get around 4-5K after taxes, depending on where you live. Now, I can't speak for all TDI owners, but I've recently had a rash of problems with mine. Particularly the Diesel Particulate Filter.

Specifically, in the past 2 weeks, I've had the check engine light come on 3 times. Each time, taking my car into VW to fix it. Each time, the light came back on the very next day, for the same code. Unfortunately, I had to take days off of work for this. VW finally gave me a loaner vehicle. That's somewhat alright, but I purchased a TDI SPECIFICALLY for the clean emissions and MPG. Considering I have a 2 1/2 hour commute, each way, every day, putting me into a Subaru Forrester put a dent in the wallet filling up the tank everyday. Not to mention the dent from having to take days off prior to the loaner. The car is currently still in the shop, so there's no telling if replacing this filter is actually going to fix it.

Which begs the question. What all is this "bypass software" affecting. If my car is not hooked up to an emissions machine, it's pumping out up to 40x the limit. Is this what is causing my filters to clog? Is this causing O2 sensors to prematurely go bad? How are the various sensors in the vehicle dealing with all of this extra "stuff"? Have they been tampered with as well as to not set off check engine lights? If not, do they work? Will they detect when something is actually wrong?

I'm sorry, but 4-5K is not worth all of that... For those owners that have paid off their vehicles, VW should offer to buy them back at pre-scandal value on top of a cash pay-out and for those owners that still have a car payment, paying that off for them first, then offering to buy back at pre-scandal value on top of a cash pay-out is a beginning.

But only a mediocre beginning. If you purchased a new fully loaded Jetta TDI in 2014 for around 32K, you most likely still owe around 20K today. KBB on that same vehicle is significantly less than 20K, so if VW merely offers to buy back, you would still owe the bank some money to pay off your loan, most likely MORE than what you would receive from your cash pay-out. So, you're already in the hole. NOW you have to find a new vehicle, and start payment all over again. And VW is hoping that you go back to them.

In this scenario, the consumer is not making out at all for any of the aggravation, pain, loss of whatever (in my case time, money, and possible health issues), etc..., as a result of VW's blatant lying, deception, and false advertisement. However, as shown above, the government is making out hand over fist. Not just from VW, but from the Consumer through tax. This is an absolute tragedy.

The 10.3 Billion should go solely to the affected consumers, approx. 20K each, and the government gets their share the old fashioned way, through taxes. That would still net them approx. 4 Billion. VW should then pay off all car loans for affected vehicles, and once that is done, offer to either buy back the cars at pre-scandal values or fix them, consumers choice.

This leaves the consumer with approx. 14K plus the value of their car, in their pockets (enough to purchase a suitable replacement vehicle) OR approx. 14K in their pockets and a paid off vehicle that meets EPA standards, albeit, most likely with lower HP and MPG.

In my opinion, the best/only way forward, but we all know the government is entirely too greedy to be satisfied with 4 Billion resulting from something that effected them in no way. Effecting only the consumer, and would still be an unseen issue if not for some independent tests from some curious people.

V/R

Frustrated Jetta Owner

From: DENNIS FLAHERTY
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 3:56:09 PM
Subject: VW Settlement

I have watched patiently for going on one year while the resale value on my 2014 VW Toureg has been torpedoed by VW and the EPA. I strongly object to parceling out the 3.0 issue from the 2.0 settlement. Neither the EPA or VW seem to have the gumption to pursue resolution and the American consumer is left holding the bag on their purchase of a highly recommended, tested and proven product, which was given a clean bill of health for several years, was recommended by Consumer Reports and for which consumers paid premium prices. We trusted the EPA and VW to cover our backs. Both let us down.

I believe that the EPA needs to step up to expedite resolution and not be permitted any longer to sit back to watch VW squirm. They were trusted to ensure that American consumers were protected and they dropped the ball.

Link the two issues and settle one and for all. The piece meal approach is a disservice to Americans.

Dennis Flaherty
[REDACTED]

From: Lance Haver
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 5:34:01 PM
Subject: VW settlement

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Subject: VW settlement

To the Courts:

The settlement as proposed fails to deliver justice, protect the environment and places people who own the cars into the position of choosing between protecting their financial health or the environmental health of the planet, something that should not be done.

1. The Settlement allows VW finance to profit from the fraudulent sale. VW Finance is "the holder in due course" under FTC guidelines they bear the guilt of VW for the sale of the fraudulent cars. I am still forced to make payments every month to VW Finance, despite the proposed settlement agreement. Why should I have to pay for something I did not get? The settlement should force VW finance to cancel the car note and refund what I have paid.

2. I purchased the car less than 1 month before VW acknowledged they were selling the cars fraudulently. The depreciation on cars during the first year is steep. I will lose much more than people who owned the cars for two or three years, as cars' depreciation falls year after year falls. (<http://www.edmunds.com/car-buying/how-fast-does-my-new-car-lose-value-infographic.html>). In addition I will lose the taxes I paid, the warranties I purchased and the value of the lower cost financing if my compensation is "based on the estimated value prior to Sept. 18, 2015". Why should I lose the money I spent on the warranties, taxes? The purchase price of the car was agreed to based on the financing, had that not been in place I would not have bought the car. Why should I lose that value? Every penny everyone who bought a car within 1 year, the greatest depreciation level, should be refunded. The car's list price, the taxes, the warranties and extras that were purchased. It is not a trade in or sale, so the price should not be based on the "clean value" but instead a 100% refund of what was paid.

3. The flat offer, that stays the same regardless of how many months it takes me to decide what I want to do, creates an economic incentive for me to continue to use the car and pollute until June 30, 2019. It would be economically foolish for me not to continue to drive the car until the deadline, meaning that the car will continue to pollute for the next three years. The settlement should be increased for people who make decisions sooner, so that there is an economic incentive to get the cars off the road or get them fixed.

4. If the car is fixed, the warranty for the car should be extended to 10 years or 120,000 miles with free maintenance. Without knowing that I will be held harmless if the "fix" leads to car engine or exhaust damage, the court will be asking me to take an unfair risk, one that I was not asked to take when I purchased the car as I had the opportunity to read reviews of the car as it was sold.

Lance Haver


Golf Sportwagen

From: Andrew Jennings
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 6:12:20 PM
Subject: Comments on partial consent decree in U.S. v. Volkswagen Group of America, et al.

In re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

This comment is a request that the list of Eligible Mitigation Actions and Mitigation Action Expenditures found in Appendix D-2 of the partial consent decree be expanded to include

The expense for electric locomotives operated by commuter rail agencies and maintenance facilities for such electric locomotives when those electric locomotives are used to replace diesel locomotives.

I have recently been looking at one such operation, the MBTA's commuter rail operation on its "Providence line" between Boston and Providence. Amtrak began electric operations on this line in 2000 when it extended electric service from New Haven to Boston. Yet the MBTA, despite purchasing new locomotives in this time period, has not talked about using electrics on the Providence line.

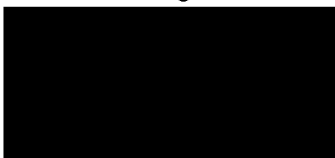
Yet the environmental benefits of switching from diesel to electric locomotives where the electric infrastructure is in place is impressive. One gets two levels of benefits. The first is the simple savings in green-house gas emissions. The second comes from the shift of automobile drivers to commuter rail because of the improved acceleration of electrics, and the resulting higher average speed without any increase in the top speed.

It is likely that one reason that the MBTA has not considered the option of electrics on the Providence line is it does not have extra capital to experiment with its operations. A grant to fund the change would likely change the MBTA's perspective.

The MBTA is not unique as a commuter agency that operates its diesel powered trains under electric wire, where there is potential for significant environmental improvements from making the change to electric locomotives. Nor is it unique that it is short on capital. Other states in the Northeast Corridor have similar situations. I have cited the MBTA's Providence line operation as an example that I am familiar with.

Thank you for your consideration of my proposal to expand the list of Eligible Mitigation Actions and Mitigation Action Expenditures.

Andrew Jennings



From: Amy Jerominek
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 1:42:54 AM
Subject: VW TDI owner comment

Without preamble.

Point one: Do not destroy the cars. Sure they pollute, but they have value. Don't just toss it away or "recycle" it. The cars highest and best use is as a car! Give the cars to charities to use until they break down, then scrap them. There are not that many TDIs, they don't have a significant impact on the environment. Punish VW, make them pay, but don't punish the car.

Don't be vindictive. Don't pretend like the few TDIs caused sea levels to rise or the ozone hole. VW broke the law, they should pay, yes, but be honest about the real impact the cars have on the environment. They have no impact! I live in SoCal and the illegal unregistered stink bombs all over the road, probably driven by illegals. pollute so much more than my efficient, new, TDI.

Let it go. Leave the cars alone. Let them drive and be cars, not piles of scrap plastic, and engine blocks with holes drilled in them. It is a sinful waste of resources.

Be practical. Be real.

Second gripe: TDI owners should have their sales tax returned to them, or a least part, by the states. I have to pay sales tax again to California? Really? That hurts. I detest paying sales tax to this mismanaged state full of whiners and entitled sissies. I know VW considered sales taxes paid when working up the buy back math, but they didn't calculate that many people like me just hate to pay sales taxes on principal. I had a 7 year 100,000 warranty on my car. I planned to drive it for many years, to avoid paying CA its pound of flesh. Now I have to cut another hole in my heart and give the bleeding mass to CA, again. Ugh. I want my taxes back.

Amy Jerominek
2 time TDI owner

From: Graham Jura
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 10:41:49 AM
Subject: Diesel Settlement

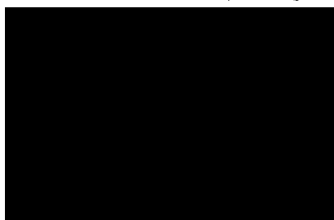
As an owner of an affected car (2014 Passat TDI SEL Premium) that I ABSOLUTELY LOVE, I am really saddened to know that thousands of perfectly good cars like mine will be, essentially, scrapped. Where is the justification for the sunken costs and environmental pollution associated with this? Totally idiotic and counterproductive...but then again, this IS the EPA we're talking about.

Why don't you allow VW to simply pay off the loan and let the person keep the car, and if they want to fix it they can?

Because it will kill polar bears?

Stop insulting our intelligence.

Graham C. Jura, ESQ.



Please consider the environment before printing this e-mail.

From: Brian Kalina
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 11:55:04 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

To the Assistant Attorney General, Environment and Natural Resources Division:

First, let me thank you for providing myself and other members of the public with this opportunity to share our opinions regarding the Volkswagen Class Settlement Program which pertains to 2009-2015 Volkswagen and Audi 2.0-liter TDI vehicles. I am encouraged that our legal system maintains interest in receiving feedback from those it is mean to serve.

I own a 2011 Volkswagen Golf TDI and I have been very happy with this car and its diesel engine. Specifically, I like how it routinely achieves around 50 miles per gallon, can drive 700 miles on a single tank of fuel, and, unlike hybrids that almost ubiquitously use heavily automated powertrains, my manual transmission equipped TDI allows me the driving fun of having full and direct control over my car's engine. I very much hope to be able to eventually replace my TDI with a new TDI, but I am fearful that certain terms of this settlement may prevent this. I strongly disagree with the current terms which are mandating that VW spend \$2 billion on electric-vehicle development above and beyond what VW would have otherwise. My fear is that this will reduce the extent to which VW can fund development of future diesel cars. I have come to rely on my diesel car for utility, practically, and enjoyment, and the absolute last thing I want to eventually replace my diesel car with is an electric vehicle.

I do not believe the EPA should be in the business of directly choosing which technologies prevail at the consumer level, especially if there remains uncertainty as to whether one induces far more harm to the public's well being. The EPA considers EVs as being "zero emissions vehicles" yet such vehicles are anything but, especially given that some 70% of this country's electricity is still derived from combustion sources. Another 20% comes from nuclear, which presents its own serious environmental issues. Still other means of electricity generation burden the environment in their own unique ways, whether it's a hydroelectric dam threatening aquatic eco-systems, or wind turbines killing birds. Speaking as an automotive engineer who has done my fair share of applicable analysis, I would agree that at least some increased EV presence would be good for our environment. However, I strongly believe that diesel cars need to play just as important of a role in powering our future passenger cars. "Clean diesel" is absolutely a technical reality. With today's selective catalytic reduction (SCR) systems pushing 95% NOx conversion efficiency, an automotive diesel engine using both exhaust gas recirculation (EGR) and SCR should have little problem meeting even forthcoming Tier 3 emissions standards for NOx, the pollutant that the affected VW cars were found to emit in excess. As for other pollutants, diesel engines inherently emit less carbon dioxide (CO2) and carbon monoxide (CO) than the gasoline equivalent; additionally, today's diesel engines, being almost universally equipped with particulate filters, emit some 30-times to 100-times fewer particles per mile than today's gasoline direct-injected equivalent. As for CO2 emissions, a diesel car is responsible for some 30% to 40% less well-to-wheel carbon dioxide generation than the equivalent electric-car using electricity sourced from the very coal-fired Rankine cycle power plants that generate 33% of the electricity consumed today in the U.S.

Personally, I would have little issue with the EPA requiring that VW spend at least some funding on electric-vehicle development, but \$2 billion is far too great of an amount, particularly considering amounts paid by various

automakers to atone for other instances of violating the law. Instead I would like to see VW given the option of using a sizable portion of this funding to develop clean diesel cars that are truly clean. This way the environment will stand to benefit, and diesel car enthusiasts like myself can still buy new versions of VW's TDI cars that we have come to very much rely on and enjoy.

Regards

Brian Kalina

From: Loren & Sharon Marz
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 6:54:56 PM
Subject: Comments re: Volkswagen, "Clean Diesel" Marketing, Sales Practices, and Products Liability, Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386
Attachments: signature.asc

I am submitting the following comments in response to the proposed settlement between Volkswagen and the United States, California, and the FTC regarding excess NO_x emissions from Tier 2 Bin 5-certified VW diesel vehicles ("TDI"; 2009-2015 model years; re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386).

Although the deception by VW to intentionally reduce or eliminate NO_x emission control in non-test conditions is unacceptable and should be severely punished, there are some provisions of the proposal that are troubling from an environmental perspective. I urge the government entities to consider the possible environmental disbenefits that some provisions of the settlement may create.

First is the "buy back" option. While I am not an owner of a VW TDI, and am not directly affected by this issue, I agree there should be provisions for owners of affected TDIs for recovering loss of resale value. Nevertheless, there is a likelihood that if "scrapping" perfectly good (other than the excess NO_x emissions) VW TDI vehicles becomes their ultimate fate, it would be a potential waste of resources, and may result in higher overall emissions than if the TDI vehicles were just allowed to continue to be driven unaltered until they reach the end of their useful life (i.e., through attrition). Reducing exhaust NO_x emissions at the expense of increasing life-cycle emissions of all other criteria pollutants is a dubious proposal.

The National Academy of Sciences (NAS) produced a report in 2009 ("Hidden Cost of Energy: Unpriced Consequences of Energy Production and Use"), a specific chapter of which (Chapter 3) was devoted to life-cycle damages to public health and the environment from various vehicle technologies and fuels. The report concluded that even in the baseline year of 2005 (i.e., before introduction of Tier 2-compliant diesel vehicles), damages from light-duty diesel vehicles were only slightly higher than gasoline-technology vehicles, and lower than electric vehicles charged with the average U.S. electric generation mix. NAS noted in the press release (<http://www8.nationalacademies.org/onpinews/newsitem.aspx?RecordID=12794>) that "...Electric vehicles and grid-dependent (plug-in) hybrid vehicles showed somewhat higher nonclimate damages than many other technologies for both 2005 and 2030. Operating these vehicles produces few or no emissions, but producing the electricity to power them currently relies heavily on fossil fuels; also, energy used in creating the battery and electric motor adds up to 20 percent to the manufacturing part of life-cycle damages..." It should also be noted that the NAS report projected that light-duty diesel vehicles would potentially be among the least damaging vehicle technology of any technologies/fuels that were assessed in that report by 2030 (Figure 3-7, Page 212 (of 506) of full report).

Using essentially the same methodology as NAS (except that damage cost factors published by EPA were used instead of the "APEEP" model), and using the latest version of Argonne National Laboratory's GREET model (GREET_2015; Q1 2016 U.S. electric generation mix per EIA), an updated evaluation shows essentially the same relative life-cycle damages among the various vehicle technologies/fuels currently available in the market. Considerable portion of the lifetime emission profile of a vehicle is produced during the manufacture of that vehicle. If the TDIs are replaced by new equivalent gasoline or electric vehicles, life-cycle emissions would generally be greater, even if the gasoline vehicles comply with T2B5 or better, or the EVs are "zero emission," since the TDIs have already been manufactured.

In addition, it should be noted that in the ICCT/WVU report that prompted the EPA/CARB investigation into VW in the first place (Thompson et al., "In-Use Emissions Testing of Light-Duty Diesel Vehicles in the United States." International Council on Clean Transportation Report, May 15, 2014), all other regulated emissions in most cases were not only well below regulated limits, they were below certified levels as well, near zero in some cases.

The following is an analysis of the net damages created by buying back and scrapping the affected TDIs, and replacing them with new comparable gasoline or electric vehicles (e.g., Golf TSI or e-Golf).

Based on a study by MIT (Barrett et al., "Impact of the Volkswagen emissions control defeat device on US public health," *Environmental Research Letters*, Volume 10, Number 11), the affected VW TDIs had accumulated 40.5 billion km (VKT) as of the date of the NOV in September 2015, or about 54,000 miles/vehicle (Section 3.1). Assuming additional mileage accumulation of 6,000 miles/vehicle since September 2015, the average TDI vehicle would have about 60,000 miles accumulated. The GREET model assumes an average useful life of all light-duty vehicle technologies of 160,000 miles. Thus, the average affected TDI would have about 100,000 miles useful life remaining.

Barrett also assumes an average weighted NOx emission rate of 0.93 g/km (Section 3.1), or 1.5 g/mile. Rest of regulated emissions (VOC, CO, PM2.5) from TDIs are from an average of those measured in the ICCT/WVU report (Thompson et al., "In-Use Emissions Testing of Light-Duty Diesel Vehicles in the United States." International Council on Clean Transportation Report, May 15, 2014). SOx and PM2.5 from brake and tire wear are GREET1_2015-assumed values.

Direct vehicle emissions for the Golf TSI are from 2016 PZEV-certified version (http://www.arb.ca.gov/msprog/onroad/cert/pcltdmdv/2016/volkswagengroupofamerica_pc_a4130043_1d8-2d0_pz.pdf).

Damage cost factors are from published EPA data (e.g., "Draft Regulatory Impact Analysis: Proposed Rulemaking for 2017-2025 Light-Duty Vehicle Greenhouse Gas Emission Standards and Corporate Average Fuel Economy Standards," Table 7.1-6.4-1, page 7-2, <http://www3.epa.gov/otaq/climate/documents/420d11004.pdf>).

All emissions from vehicle manufacturing, and feedstock and fuel processing are from GREET_2015. Latest available U.S. electric generation mix is from EIA report (Q1 2016). Vehicle fuel mileage is from official EPA values at 43% city/57% highway (harmonically averaged), as assumed in GREET.

Damage costs per EPA...

- VOC - \$1,300/ton
- NOx - \$5,500/ton (vehicle use)
- NOx - \$5,300/ton (fuel production and distribution and vehicle manufacturing)
- PM2.5 - \$300,000/ton (vehicle use)
- PM2.5 - \$250,000/ton (fuel production and distribution and vehicle manufacturing)
- SOx - \$32,000/ton

Conversion - dollars/ton X 1 ton/2000 pounds X 1 pound/453.6 grams X 100 cents/dollar = cents/gram

- VOC - 0.143 cents/gram
- NOx - 0.606 cents/gram (vehicle use)
- NOx - 0.584 cents/gram (fuel production and distribution & vehicle manufacturing)
- PM2.5 - 33.069 cents/gram(vehicle use)
- PM2.5 - 27.557 cents/gram (fuel production and distribution & vehicle manufacturing)
- SOx - 3.527 cents/gram

Golf TDI vs. e-Golf (@1.5 g/mi average NOx emissions from cheating TDIs)

curb weight - 3391 lbm (e-Golf) = 3391/4270 (assumed weight of EV in GREET); [3100 lbm (Golf TDI)/2980 lbm (assumed weight of conventional vehicle in GREET)]

fuel mileage - 113 MPGe (official "mileage" of e-Golf) = 111.6 (assumed "mileage" of EV in GREET)/113; [31.30 mpgge (assumed mileage of diesel vehicle in GREET)/31.9222 mpgge (calculated mileage (gasoline equivalent) of Golf TDI]

Damages @ 160,000 miles (assumed average useful life in GREET; + = increased emissions; - = decreased emissions):

VOC - \$35.72/vehicle [27,700 grams - ((0.038 g/mi (TDI) - 0.021 g/mi (e-Golf)) X 160,000 miles) = +24,980 grams X 0.143 cents/gram]
 NOx (upstream) - \$51.39/vehicle [9280 grams - ((0.125 g/mi (TDI) - 0.122 g/mi (e-Golf)) X 160,000 miles) = +8800 grams X 0.584 cents/gram]
 NOx (direct) - -\$1454.40/vehicle [(1.5 g/mi (TDI) - 0.0 g/mi (e-Golf)) X 160,000 miles) = -240,000 grams X 0.606 cents/gram]
 PM2.5 (upstream) - \$705.46/vehicle [1920 grams - ((0.0078 g/mi (TDI) - 0.0118 g/mi (e-Golf)) X 160,000 miles) = +2560 grams X 27.557 cents/gram]
 PM2.5 (direct) - -\$30.69/vehicle [(0.00558 g/mi (TDI) - 0.005 g/mi (e-Golf)) X 160,000 miles) = -92.8 grams X 33.069 cents/gram]
SOx - \$1987.82/vehicle [33,800 grams - ((0.097 g/mi - 0.283 g/mi) X 160,000 miles) = +56,360 grams X 3.527 cents/gram]
 +\$1295.30/vehicle

@100,000 miles (assumed average remaining useful life of TDIs)/160,000 miles (assumed useful life of new vehicle in GREET) = 0.625

Damages @ 100,000 miles (+ = increased emissions; - = decreased emissions):

VOC - **\$22.33/vehicle** [17,313 grams - ((0.038 g/mi (TDI) - 0.021 g/mi (e-Golf)) X 100,000 miles) = +15,613 grams X 0.143 cents/gram]
 NOx (upstream) - **\$32.12/vehicle** [5800 grams - ((0.125 g/mi (TDI) - 0.122 g/mi (e-Golf)) X 100,000 miles) = +5500 grams X 0.584 cents/gram]
 NOx (direct) - **-\$909.00/vehicle** [(1.5 g/mi (TDI) - 0.0 g/mi (e-Golf)) X 100,000 miles) = -150,000 grams X 0.606 cents/gram]
 PM2.5 (upstream) - **\$440.91/vehicle** [1200 grams - ((0.0078 g/mi (TDI) - 0.0118 g/mi (e-Golf)) X 100,000 miles) = +1600 grams X 27.557 cents/gram]
 PM2.5 (direct) - **-\$19.18/vehicle** [(0.00558 g/mi (TDI) - 0.005 g/mi (e-Golf)) X 100,000 miles) = -58 grams X 33.069 cents/gram]
SOx - \$1401.10/vehicle [21,125 grams - [((0.097 g/mi - 0.283 g/mi) X 100,000 miles) = +39,725 grams X 3.527 cents/gram]
 +\$968.28/vehicle

Golf TDI vs. Golf TSI (@1.5 g/mi average NOx emissions from cheating TDIs)

curb weight - 3000 lbm (Golf TSI) = 3000 lbm/2980 lbm (assumed weight of conventional vehicles in GREET); [3100 lbm/2980 lbm - TDI]

fuel mileage - 29.992 mpg (mileage of conventional vehicle assumed in GREET)/29.1989 mpg (official mileage of TSI); [31.30 mpgge/31.9222 mpgge - TDI]

Damages @ 160,000 miles (assumed average useful life in GREET; + = increased emissions; - = decreased emissions):

VOC - \$72.63/vehicle [34,147 grams - ((0.038 g/mi (TDI) - 0.142 g/mi (TSI)) X 160,000 miles) = +50,787 grams X 0.143 cents/gram]
 NOx (upstream) - \$89.05/vehicle [7409 grams - ((0.125 g/mi (TDI) - 0.174 g/mi (TSI)) X 160,000 miles) = +15,249 grams X 0.584 cents/gram]
 NOx (direct) - -\$1440.83/vehicle [(1.5 g/mi (TDI) - 0.014 g/mi (TSI)) X 160,000 miles) = -237,760 grams X 0.606 cents/gram]
 PM2.5 (upstream) - \$468.47/vehicle [1450 grams - ((0.0078 g/mi (TDI) - 0.0103 g/mi (TSI)) X 160,000 miles) = +1700 grams X 27.557 cents/gram]
 PM2.5 (direct) - \$75.13/vehicle [(0.00558 g/mi (TDI) - 0.007 g/mi (TSI)) X 160,000 miles) = +227.2 grams X 33.069 cents/gram]
SOx - \$1292.68/vehicle [25,771 grams - ((0.097 g/mi - 0.165 g/mi) X 160,000 miles) = +36,651 grams X 3.527 cents/gram]
 +\$557.13/vehicle

@100,000 miles (assumed average remaining useful life of TDIs)/160,000 miles (assumed useful life of new vehicle in GREET) = 0.625

Damages @ 100,000 miles (+ = increased emissions; - = decreased emissions):

VOC - **\$45.39/vehicle** [21,342 grams - ((0.038 g/mi (TDI) - 0.142 g/mi (TSI)) X 100,000 miles) = +31,742 grams X 0.143 cents/gram]
 NOx (upstream) - **\$55.66/vehicle** [4631 grams - ((0.125 g/mi (TDI) - 0.174 g/mi (TSI)) X 100,000 miles) = +9,531 grams X 0.584 cents/gram]
 NOx (direct) - **-\$900.52/vehicle** [(1.5 g/mi (TDI) - 0.014 g/mi (TSI)) X 100,000 miles) = -148,600 grams X 0.606 cents/gram]
 PM2.5 (upstream) - **\$318.56/vehicle** [906 grams - ((0.0078 g/mi (TDI) - 0.0103 g/mi (TSI)) X 100,000 miles) = +1156 grams X 27.557 cents/gram]
 PM2.5 (direct) - **\$46.96/vehicle** [(0.00558 g/mi (TDI) - 0.007 g/mi (TSI)) X 100,000 miles) = +142.0 grams X 33.069 cents/gram]
SOx - **\$807.93/vehicle** [16,107 grams - ((0.097 g/mi - 0.165 g/mi) X 100,000 miles) = +22,907 grams X 3.527 cents/gram]
+\$373.98/vehicle

Actual damages are probably more, especially in the case of the gasoline vehicle, since it's unlikely that even PZEV-certified vehicles maintain their certified emission levels under all possible driving scenarios/ambient conditions.

It appears that only California would receive a slight benefit (\$62/vehicle) from the buy-back/scrappage-replaced-by-a-new-equivalent-EV option due to relatively low emissions from electric generation in that state (and that's assuming the EV is manufactured in California using its electric generation mix per EIA). However, most regional grids in the U.S. show a net disbenefit under this scheme. It doesn't appear a replacement-new-equivalent-gasoline option would be a benefit in any scenario.

Calculated miles to offset emissions from manufacturing equivalent electric vehicle:

GHG - 6,861,414 g (manufacturing e-Golf)/(344 g/mi (TDI) - 169 g/mi (e-Golf)) = 39,208 miles
 VOC - 27,700 g (manufacturing)/(0.038 g/mi (TDI) - 0.021 g/mi (e-Golf)) = 1,629,412 miles
 CO - 26,683 g (manufacturing)/(0.157 g/mi (TDI) - 0.091 g/mi (e-Golf)) = 404,288 miles
 NOx - 9280 g (manufacturing)/(1.6245 g/mi (TDI) - 0.122 g/mi (e-Golf)) = 6,176 miles
 PM2.5 - 1920 g (manufacturing)/(0.0137 g/mi (TDI) - 0.0145 g/mi (e-Golf)) = divergence
 SOx - 33,800 g (manufacturing)/(0.097 g/mi (TDI) - 0.283 (e-Golf)) = divergence

Calculated miles to offset emissions from manufacturing equivalent gasoline vehicle:

GHG - 6,604,026 g (manufacturing Golf TSI)/(344 g/mi (TDI) - 372 g/mi (TSI)) = divergence
 VOC - 34,147 g/(0.038 (TDI) - 0.142 (TSI)) = divergence
 CO - 24,644 g/(0.157 (TDI) - 0.205 (TSI)) = divergence
 NOx - 7409 g/(1.6245 (TDI) - 0.188 (TSI)) = 5,158 miles
 PM2.5 - 1450 g/(0.0137 (TDI) - 0.0173 (TSI)) = divergence
 SOx - 25,771 g/(0.097 (TDI) - 0.165 (TSI)) = divergence

The other provision of the proposal with which I disagree is the "Zero Emissions Technology Investments." Instead of a fund set up by VW for improving EV charging and/or hydrogen fueling infrastructure, and advancing "zero emission" vehicles, a fund should be set up for research and development into improving NOx in-cylinder and/or NOx aftertreatment control. Electric vehicles are most environmentally beneficial in urban-type driving, but generally a disbenefit overall, as shown above. Thus, encouraging EV use outside urban locations is more damaging in most regions of the U.S.

The other "zero emission" technology, fuel cell technology, is even worse than EV technology from a full life-cycle emissions/damages perspective since the emissions/damages from manufacturing fuel cell vehicles are higher than from manufacturing EVs, in fact the highest of any vehicle technology, per GREET2_2015.

As a disclaimer, I am in no way associated with Volkswagen, the auto industry or any support industries to the auto industry, including diesel engine manufacturers.

Thank you for the opportunity to comment on the subject proposed settlement.

Respectfully submitted,

Loren Carl Marz, Certified Consulting Meteorologist (Certificate #591)

From: Keith D. Patch
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 2:24:44 PM
Subject: U.S. v. Volkswagen Group of America, et al.

Hi--

I was wondering why the VW settlement calls for the following financial assistance:

- 60-100% of the cost for EV charging stations, depending on the level of public access, but only
- 25-35% of the cost for FCEV hydrogen refueling stations, depending on the size of the station (expressed in kg/day.)

Obviously, it appears that the EPA (and CARB) have decided to not use a level playing field, but instead have chosen to provide over twice the financial incentive percentage to electric vehicles, relative to hydrogen fuel cell vehicles.

This is quite disappointing, especially due to the nascent state of hydrogen fuel cell vehicles. Anyone familiar with technoeconomic analysis knows that new technologies (e.g. FCEVs) are generally more expensive than more established technologies (e.g. EVs). This is due to the fact that costs always come down as technologies mature, coupled with the fact that the increasing adoption of new technologies leads to economies of replication (hello assembly lines!). On this basis alone, I would recommend that the EPA (and CARB) revise their plans, and allow financial incentives of 60-100% for FCEV refueling stations, matching the incentive rates for battery electric vehicles.

To summarize, it is good that the first VW emissions scandal settlement includes financial incentives to speed the adoption of EVs and FCEVs. Unfortunately, it is bad that the VW settlement provides significantly larger rates of financial incentives for FCEV hydrogen refueling stations.

Please let me know if the implementation can be modified to have a level playing field for both EVs and FCEVs.

Thanks in advance,

--Keith

Keith D. Patch



From: Matt Phelan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 9:07:09 PM
Subject: VW court settlement comment

Hello,

I have been following this case closely since I have been an avid fan of VW's little TDI engines for more than a decade now. My dad bought one new in 1998, I bought it off of him in 2004 and it changed how I thought about driving. I liked them so much I became good at servicing them and eventually turned that into my own business servicing these cars for owners as well as doing the occasional TDI diesel retrofit into vehicles that did not have such an efficient engine to begin with.

Diesels have certainly always had a bit of a dirty reputation. Foul smelling exhaust, visible particulates emissions and all. That began to change 10 years ago as ultra low sulfur diesel became mandatory and most diesels by then were at least equipped with catalytic converters. We were all impressed when automakers came out with diesels that were very quiet, didn't smell, had gobs of power and also made no visible emissions. A 2009 or newer VW TDI with properly working emissions equipment, if you look into the tailpipe, you will see bare metal. It will not be caked in that nasty black soot. Hugely impressive.

What VW did was quite arrogant. It has hurt my business some and makes me fear for the future if a lot of these cars are taken off the roads. I think by and large the agreement is very fair to vehicle owners and all parties involved. I just hope we don't see these little cars removed from the roads entirely.

I guess what I'd like to take the opportunity to comment on is emissions standards in general. I have a 2006 Jetta, it had to conform to NOx output standards to the tune of somewhere around 0.7 g/mi (why it's a mix of metric and imperial measurements is beyond me, but that's another story). The 2009 and newer vehicles in question? 0.07 g/mi. That's quite the steep reduction. It's almost a little misleading when it's said these cars emit 10-40 times the limit. When the limit is so close to zero, 10-40 times more is still not a whole lot...

Being that I live in California and do business here, I understand and appreciate the laws that have done great things to improve air quality. But where does it stop? The way I see it, the regulations are becoming so strict that we are effectively legislating specific vehicles and engine types out of existence. Sure, we have climate change to worry about as well, but why is the majority of the focus on personal vehicles? The majority of them have been exceptionally clean for a couple decades now. When does the EPA/CARB finally say "OK, cars are clean enough, let's go focus on other industries that have virtually no emissions controls implemented yet."?

My frustrations double when I hear some customers complain about how expensive it is to fix these cars when their emissions controls components fail. These cars will be taken out of service much faster than their predecessors because of this. Automakers may not mind, because that's how they make money; selling more cars and parts. But from my point of view, it's still fairly short-sighted if you truly care about climate change and air quality. The production of new vehicles is far more damaging to the environment than a few hundred thousand of these diesels being left on the road.

I also have to wonder what fuel the EPA/CARB were using on the vehicles they were testing. Our fuel quality standards in the U.S. are honestly still pretty bad in comparison to what Europe requires. The fuel itself also plays a large role in emissions output. There are companies here in the U.S. selling NexBTL diesel from Neste Oil that reduce all emissions (including NOx, unlike fatty-acide methyl-ester biodiesel) and don't create any of the bad side effects that FAME biodiesel does.

It's a little shortsighted in my view to punish cars that so easily lend themselves to alternative/renewable fuel sources that not only help clean up the air but also reduce our dependency on conventional oil and when you include the

carbon that's removed from the atmosphere because it's largely plant-based, you're also helping to slow down climate change as well.

I have no doubt that liquid fuel will eventually go the way of the dodo, but let's not legislate them out of existence, let's allow technological advancements to render them obsolete instead. And until someone can come up with an electric car that can go 600 miles on a single charge and only take 15 minutes to recharge to go another 600, I'll be sticking to my small, very efficient diesels, thank you very much, because they can do exactly that. When electric cars get to that level, I will be happy to purchase one.

But is moving the pollution offsite to wherever the electricity is generated really any better? Maybe it will be eventually as more renewable sources of electricity are spliced into the grid, but it's not at the moment.

Thank you for your consideration,
-Matt

From: Matt Phelan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 12:33:59 AM
Subject: Re: VW court settlement comment

I would also like to add that it would be great if the EPA and VW could work quickly to certify new, fully compliant diesels for sale as quickly as possible, that way anyone who is turning in for buyback especially a gen 1 car can have the option of using the buyback money to get into a new, genuinely clean diesel. I keep hearing that the gen 3s are especially fuel efficient in real world operation, which great to see.

Let's not try to kill an engine type that is especially fuel efficient and lends itself well to renewable fuel sources.

On Jul 26, 2016 6:07 PM, "Matt Phelan" [REDACTED] wrote:
Hello,

I have been following this case closely since I have been an avid fan of VW's little TDI engines for more than a decade now. My dad bought one new in 1998, I bought it off of him in 2004 and it changed how I thought about driving. I liked them so much I became good at servicing them and eventually turned that into my own business servicing these cars for owners as well as doing the occasional TDI diesel retrofit into vehicles that did not have such an efficient engine to begin with.

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But is moving the pollution offsite to wherever the electricity is generated really any better? Maybe it will be eventually as more renewable sources of electricity are spliced into the grid, but it's not at the moment.

Thank you for your consideration,
-Matt

From: james raver
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 1:30:12 PM
Subject: Please Don't Destroy Volkswagen

Volkswagen made a Huge Corporate judgement error.

However, diesel powered cars are underutilized here due to a longstanding bias by CARB and favored status for electric vehicles when the net energy equation, counting the entire chain of production may not support it.

The setting of NOX standards at very tight levels in the absence of indoor requirements or at least enforcement for household stoves and heating seems out of balance.

The very 18 Billion fines are excessive when compared to the much lower fines for GM, Toyota and Firestone where multiple fatal accidents were caused by engineering flaws and no recalls until very late in the event sequence.

Volkswagen has made diesel cars of very high engineering quality at an affordable price and should not be punished as severely as proposed. Thank You.

James m. Raver, MD, MBA



From: Van Eaton, Josh (ENRD)
To: Cooney, Nigel (ENRD); Kettle, Kathryn (ENRD); Walinskas, Bethanne (ENRD)
CC: Engel, Bethany (ENRD)
Sent: 7/26/2016 6:54:32 PM
Subject: Fwd: Blindsided by bad VW Mitigation settlement language

Sent from my iPhone

Begin forwarded message:

From: "Cruden, John (ENRD)" <JCruden@ENRD.USDOJ.GOV>
Date: July 26, 2016 at 3:39:52 PM PDT
To: "Van Eaton, Josh (ENRD)" <JVanEaton@ENRD.USDOJ.GOV>
Subject: FW: Blindsided by bad VW Mitigation settlement language

I am treating this e mail as a comment on the CD.

From: John Reed [mailto: [REDACTED]]
Sent: Tuesday, July 26, 2016 6:34 PM
To: Cruden, John (ENRD) <JCruden@ENRD.USDOJ.GOV>
Subject: Blindsided by bad VW Mitigation settlement language

Mr. Cruden,

Great job on working with Judge Breyer. I am writing you to help you avoid being blindsided by where you have been led in the mitigation section of this settlement. In Appendix D-2, purchase of new diesel engines or vehicles as replacement for older diesels is placed on the same level as purchasing natural gas replacements. What you have obviously not been told is that the **very same researchers that determined the VW vehicles failed to meet emissions in use, also demonstrated that new diesel engines of the type to be purchased with these mitigation funds for larger diesels, also fail to meet emissions in use.** In these same studies, natural gas versions of these vehicles were the ONLY vehicles to maintain emissions at certified levels during all phases of operation.

I strongly suggest that you call EPA and ARB to task for leaving you out of the loop on any discussions about this well known and well studied failure of diesel emission technology (termed off cycle emissions) and using mitigation funds to put more of this incomplete technology on the road. If these discussions did not happen, you need to know why.

Natural Gas and Electric Drive Heavy Duty vehicles are the only proven means to actually mitigate NOx from heavy duty vehicles predictably. I believe allowing funds from this trust to pay for newer diesels is contrary to the goals of the settlement and will call its validity into question. Don't let this happen.

I am available any time to discuss and will be providing you with a more formal document asking for specific changes to the language in D-2 at week's end.

Dr. John Reed
[REDACTED]



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If the reader is not the intended recipient or the employee or agent responsible for delivering it to the intended recipient, please immediately contact me, so I may ensure its return or destruction. Thank you.

From: Rees, Matt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 1:46:01 PM
Subject: VW Settlement comment

To whom it may concern,

I am the owner of a 2010 VW Jetta Sportwagen.

The settlement documentation states the following:

“**Retail Replacement Value**” has the meaning set forth in Appendix A;

10. Settling Defendants shall remove from commerce in the United States and/or perform an Approved Emissions Modification (as described in Section IV.B) on at least 85% of the 2.0 Liter Subject Vehicles as set forth in Appendix A. Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle the option of the Buyback of the Eligible Vehicle at a price **no less than Retail Replacement Value**, or the Lease Termination in accordance with the terms specified in Appendix A.

2.13 “**Retail Replacement Value**” shall mean, for a given Eligible Vehicle, the **cost of retail purchase of a comparable** replacement vehicle of similar value, condition, and mileage as of September 17, 2015.

The values used in the buyback tables are trade-in values (wholesale) not retail. VW does not sell cars at trade-in. I did not buy my car at trade-in. I bought my car at retail. The settlement stated that they should be using “Retail values”. Until VW starts selling cars at trade-in, they should be using retail in the tables.

I’m not happy with the settlement. Feels like a bait and switch.

Matt Rees

Marketing Group

AUTOMATIONDIRECT
BY MAIL OR ONLINE

Joseph D. Renick

John C. Cruden
Assistant Attorney General
U.S. DOJ-ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

August 4, 2016

**In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386**

Dear Assistant Attorney General Cruden,

I am writing to you in support of the comments on **Appendix C "The ZEV Investment Commitment"** to the Partial Consent Decree, Case No: MDL No. 2672 CRB (JSC) contained in a letter to you by Dr. Randell L. Mills, Chairman and CEO of Brilliant Light Power Inc., dated July 26, 2016.

I am one of the five research scientists who have recently validated Brilliant Light Power SunCell® technology. The reactors we tested in these independent validation tests produced over a million watts power levels and confirmed the validity of the innovative methods and processes developed by Brilliant Light Power (BrLP) in the design of their SunCell® electrical power generator. Through these validations Brilliant Light Power has demonstrated readiness to proceed with commercialization.

The SunCell® operates somewhat like an incandescent light bulb where the source of energy is a unique chemical reaction proprietary to BrLP that produces a high-energy plasma contained within a tungsten sphere. The plasma heats the sphere to high temperature which then generates high intensity radiant energy similar to that of the Sun but at thousands of times greater intensity. This intense light is then converted to electrical power through photovoltaic cells. As for possible pollutants, the only product of the SunCell® reaction other than that of electrical power and waste heat is a highly stable non-reacting and non-polluting inert gas which propagates through the atmosphere into space. The overall result is a new source of electrical power that is clean, safe, extremely cost effective and for all practical purposes, unlimited.

As for Dr. Mills' assessment that the proposed ZEV charging infrastructure could become obsolete by the early 2020s due to the rapid expansion of SunCell® technology in powering electrical vehicles of all classes, I completely concur and propose that Appendix C of the Partial Consent Decree be amended as follows. Replace paragraph 1.10.1 with:

"Brand-neutral research and development of ZEV technology within the United States. The results of such research and development efforts or activities will be made available to all automobile manufacturers in the United States on a non-discriminatory basis. Such efforts or activities may contain a statement that they are "sponsored by Volkswagen," but that statement shall not be prominently displayed, and the efforts, materials or activities shall not feature, favor, or advertise Settling Defendants' services or vehicles."

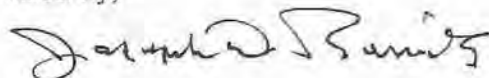
Alternatively, the proposed new paragraph 1.10.1 could be inserted as paragraph 1.10.2 with appropriate changes in the order of the following paragraphs, or added as new paragraph 1.10.5.

I am sure you are well aware that the only truly clean electrical power technology available today is that produced from wind, solar and hydroelectric sources and none of these sources can provide uninterrupted electrical power across the full spectrum of electrical power needs from large capacity fixed base central power generation for residential and industrial needs or the full spectrum of power requirements for all transportation systems, including the ZEV requirement. The SunCell® electrical power generator is the only known system that can meet all of these requirements.

You should not be misled by the fallacy associated with electric vehicles that they have no impact on climate. While it is true that such vehicles have zero emissions, studies have shown that electric vehicles charged with average grid power expected for the 2020's will actually have higher climate and health costs than that of conventional internal combustion engines. The only way to fully realize the advantages from electric vehicles is an onboard power-plant with zero emissions. In this regard the only show in town is the SunCell®.

I have been following the progress of BrLP for over 20 years. Let me assure you that while the claims made for the SunCell® may seem outrageous, they are completely reliable and based on sound physical principles. I am very familiar with their SunCell® technology and as an independent validator, I would be delighted to answer any questions you might have. I am available at any time at the e-mail, address and phone number below.

Sincerely,



Joseph D. Renick
Research Scientist, Retired
Applied Research Associates



From: Jasper Rice-Herd
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 4:52:03 PM
Subject: Re: VW Diesel Settlement

With all this talk of billions of dollars penalized, hundreds of thousands cars scrapped and countless owners demoralized, inconvenienced and infuriated, the most important number is ...

One.

That's roughly the number of years of profit that US\$14.7-billion penalty represents (according to the *Wall Street Journal*, Volkswagen AG made US\$12.3 billion in profits in 2014). In other words, Volkswagen gets out from underneath the biggest scandal in the 130 years of automobile production by forgoing its profit for one measly year.

On Thu, Jul 21, 2016 at 11:16 AM, Jasper Rice-Herd <[REDACTED]> wrote:
Dear DOJ,

I am writing to comment on the VW diesel settlement. I own a 2014 Jetta TDI, I purchased it brand new, it was the largest purchase I have made in my life. I bought the car because I have a long daily commute, it was touted as environmentally clean vehicle and was fun to drive. I planed to keep the car for as long as it would last, from my research TDI were known for lasting well beyond a gas engine model. I am disappointed in the settlement outcome for many reasons. I feel deeply tricked, I spent more money on this car than any other single purchase in my life, I worked very hard to be able to do that. I feel that is is not fair that I am would get anything lower than the Retail MSRP of a NEW vehicle, I would have never bought the car in the first place if I had known about the emissions problem. I also feel it is unfair that there is a mileage reduction which is limited to about 1000 miles a month, these vehicles are notoriously purchased to be a high mile commuter car, I was even told when I purchased the car that it is not worth purchasing a TDI unless you are driving more than 20k miles a year. What about additional components that I purchased for my vehicle? Do I receive compensation for those items? I spent a few thousand on additional components that are specific to the vehicle, for example a hitch receiver, a car cover, a bike rack, a roof rack. Now when I get rid of the car I will have to resale all these items for a vehicle that most people will be getting rid of, not the greatest market...

I also think that any loans by VWcredit should be recalled and refunded. I have a loan on my vehicle and VW will be making money off that loan unless something is done.

Please rip VW a new one, their disrespect for the consumer and the environment is something that should not be tolerated.

--
Jasper J. Rice-Herd

From: Bill Rymer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 12:42:05 AM
Subject: VW Diesel Cheating Settlement --Public Comment Submission

I wish to make the court and any of the litigants aware that, in my view, the EPA is the predominant culprit, NOT VW.

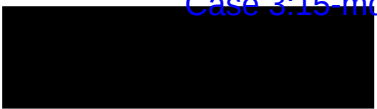
This is why: It was reported in reliable press articles (TIME, Nov. 30, 2015, pp.104 and others) that "Only 0.01% of NOx emissions come from light duty [diesel] cars." This is THE smoking gun that reveals all that really matters regarding this case. The EPA clearly had no reasonable cause to set the rules tighter and tighter over recent years regarding small diesel engine emissions. This is, beyond any reasonable question, proof that the EPA blatantly overstepped their authority and any legitimate role by tightening the emissions rules for small diesels whose contribution was less than 1/10,000 of the total. Completely unjustifiable. If the EPA were acting in the public interest and within their legitimate charter, the obvious action to take was NOT to tighten the rules. A very good case could be made that it is in the public interest to loosen those regulations, thus allowing more efficient and economical vehicles in that sector, thus burning less fossil fuels.

I agree that VW should have their corporate knuckles rapped for "cheating," for breaking the (bad, illegitimate) rules, and for outsmarting the vicious, unjustified rule making of the EPA. The public knows that VW has already paid a very high price for this rule breaking. Having to spend billions is absurd. No more penalty than that which has already taken place should be levied. In my view, VW should be given an outstanding engineering award for outsmarting the EPA with bold face reference to the unjustifiable nature of the regulations. In effect this whole episode should be viewed as exposing EPA wrongdoing. VW should be commended for exposing incompetence and poor judgment. Top officials who approved the unreasonable regulatory levels should be forced to resign. Anyone approving such rules has proven they have such poor judgment they have no business in high ranking EPA employment. EPA should be ordered to revisit the small diesel emissions regulations and relax the rules commensurate with relative contribution to NOx emissions by all vehicles. The EPA has been, and is, simply out of control.

Note: Much has been made by the EPA and environmental zealots of the "40 times greater than EPA specified levels" that small VW diesels sometimes emit when running "defeat devices" software. It is extremely ironic that a realistic view of this is as follows: If ALL small diesel vehicle emissions (not just VW) were at the worst reported VW "cheating" levels, that would be $40 \times 0.01\%$ or 0.4% of the total. That simply proves that the EPA rules were worse than 40 times too restrictive. Any major subset of motor vehicles that contributes only 0.4% (that is 4/1000) of the total NOx emissions has already met a reasonable standard and should be left alone.

Bill Rymer
Retired Engineer





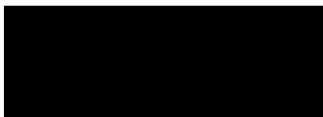
From: Helen or Phil Schalet
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 8:52:44 AM
Subject: Comment by VW Diesel Owner

I own a 2011 VW Jetta Sportwagen TDI. I believe this entire "dieselgate" business is a gigantic, ill-conceived waste of government resources. My points are as follows:

1. My car, now with 67,000 miles on it is the best I have ever owned. Beyond annual maintenance, it has never required a repair. My driving is largely rural, so my fuel consumption is generally about 40 mpg.
2. Calling my NOx emissions a threat to air quality is a joke. I am surrounded by and use diesel farm equipment that burns "red" off-road fuel. Many local trucks, including pickups, are diesel and have working lives of 20 years-plus, meaning their individual emissions are substantial. I am on an overhead flight path for airplanes coming and going from the Minneapolis MN airport. To the best of my knowledge, they burn K-1 fuel and are entirely unregulated. They also dump raw fuel from time to time. On top of this, many - if not most - of the products we all use now come from China and other overseas locations shipped on freighters that burn nothing but heavy bunker oil.
3. The agreement being engineered with VW is plain stupid. First, it fixes a very marginal pollution issue that will go away on its own: i.e., the existing TDI's are aging out, as does all machinery. Second, the matter of gaming emissions testing by VW was the responsibility of VW's CEO and Board of Directors. The CEO in question was given a very handsome golden parachute by the Board. He nor Board members have been personally held accountable in a criminal or civil manner. In my opinion, that is what our government should have been exclusively focused on. This is far better than punishing VW's many stakeholders who had nothing to do with the intentional rule-breaking.
4. As a TDI owner, the agreement is designed to take my car off the road, with no statistically meaningful change in worldwide air quality. The choices are to sell it back to VW or have it ruined by a so-called repair. If I sell the car, which I would normally drive for 10 years, I will be forced to replace it. I cannot replace it with a comparable quality car without spending more than the buyback cash. Therefore, I have no intention of participating in the program.

Sincerely,

Philip B Schalet



From: Gary Schlectic
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 3:41:08 PM
Subject: VW TDI settlement.

As the owner of a 2014 Passat TDI I say-

Let's get this process moving faster. These things are expensive to maintain and now virtually worthless. I owe VW Credit way more than I can sell it for and every day I pray nobody runs into it or I am really screwed.

Let's get this over with! Please

Gary Schlectic, GRI, Associate Broker



From: Julie Skarha
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 5:03:54 PM
Subject: Volkswagen Consent Decree Comment

Hello,

I would like to add a comment about the Notice of Lodging of Proposed Partial Consent Decree Under the Clean Air Act.

In reference to Volkswagen must offer all Eligible Owners and Lessees of Eligible Vehicles (all as defined in Appendix A to the Decree): *Volkswagen must achieve a recall rate ... of 85% by June 30, 2019. If it fails to do so, Volkswagen must augment the mitigation trust fund discussed below by \$85 million for each 1% that it falls short of the 85% rate."*

In the Partial Consent Decree, the part above was a bit unclear on if the additional \$85 million added for each 1% that it falls short of the 85% rate will be coming from the \$10,033,000,000 pool or if this is additional money Volkswagen will pay. If it is not (or even if it is - and this may already be in the Full Consent Decree), I would like to suggest that a deadline be established where if there is still money left in the \$10,033,000,000 pool, this amount is to be rolled over to either the ZEV pool (this would probably be the easiest) or to the environmental mitigation trust fund.

Thank you for your time. Please do not hesitate to let me know if I was unclear or if you would like me to expand.

Sincerely,
Julie Skarha

June 28, 2016

Timothy P. Smith

Hinrich J. Woebcken, President and CEO
Volkswagen Group of America
2200 Ferdinand Porsche Dr.
Herndon, VA 20171

Dear Mr. Woebcken:

I am a co-owner of a 2014 Volkswagen TDI Golf. I am writing to draw your attention to a unique opportunity for Volkswagen to repair some of the damage caused by the on-going diesel scandal. By helping to finance habitat restoration, VW can directly offset a portion of the greenhouse gases emitted to the atmosphere while garnering significant goodwill and positive publicity in a high-profile vacation destination community on Cape Cod, Massachusetts.

My wife and I purchased this new vehicle in 2014 because I face a 200 mile roundtrip commute two to three days each week to my job at Cape Cod National Seashore. Until September 2015, when news of the VW diesel scandal went public, the car was a delight. Along with excellent performance and comfort, the fuel efficiency and purported clean emissions were consistent with my personal and professional environmental standards. It was the best car I ever owned.

I am an ecologist working to understand how natural systems will respond and adapt to climate change and sea level rise. Imagine my embarrassment when, at a meeting in November 2015, a colleague making a presentation to a large group of scientists and policy makers compared the volume of carbon stored in an area of coastal marshland as equivalent to the emission of 40 gas-powered cars, and then added, "or one VW Golf". Laughter erupted as I sank in my chair, attempting to hide from those who knew I drive that exact car.

But my colleague was making a critical point. Salt marsh habitats store as much carbon as tropical rainforests (Murray et al., 2011). Carbon sequestration in coastal wetlands is getting attention as a way to reduce excess carbon dioxide and other greenhouse gases in our atmosphere from the burning of fossil fuels. This process is referred to as "blue carbon" and it is currently being used as a way to incentivize and finance projects aimed at restoring coastal wetlands.

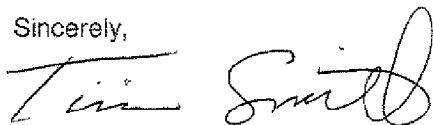
For more than two years, the TDI Golf has taken me to my workplace. There I manage a public-private effort to restore natural tidal influence and ecological function to an estuary that has been diked off from Cape Cod Bay for more than 100 years. This project, the Herring River Restoration Project, has major benefits, especially with respect to emissions of methane. Methane is at least 20 times more potent than carbon dioxide as a greenhouse gas (Solomon et al. 2007) and is emitted from coastal wetlands when natural tidal areas are diked off from the sea and impounded with freshwater (Poffenberger et. al. 2011). A preliminary analysis of the blue carbon benefits associated with the Herring River project (Walker et. al. 2015) demonstrates that restoring tides and salt water to these marshes will reduce on-going methane emissions to a degree equivalent to taking about 635 gas passenger cars, or 16 TDI Golfs, off the road every year. Sequestration of carbon dioxide and nitrous oxide will also occur as part of this project.

The Herring River project is a large and expensive undertaking. In fact, it is the largest coastal wetland restoration in the Northeast, directly benefiting 1,000 acres of degraded coastal wetland habitat. As settlement negotiations about the VW diesel scandal continue, I would encourage VW of America and the other parties to consider providing funding for the Herring River project, and other coastal wetland

restoration projects around the United States, as part of a package of Supplemental Environmental Projects.

I am more than happy to provide additional information and discuss this matter at length with you or your designee. Further resources about blue carbon and the Herring River Restoration Project are provided below.

Sincerely,



Tim Smith; [REDACTED]

CC:

United States District Judge Charles R. Breyer; Massachusetts Attorney General Maura Healy; Mario Guerreiro, Executive Vice President, Group Communications VIA EMAIL; John Schilling, General Manager, Product Communications VIA EMAIL; Mark Gillies, Manager, Product & Technology VIA EMAIL; Jessica Anderson, Product Communications Specialist VIA EMAIL; William Gock, Product Communications Senior Specialist VIA EMAIL; Jeannine Gínavan, Senior Manager, Corporate Communications VIA EMAIL; Philipp Doerfler, Specialist, Corporate Communications VIA EMAIL; Darryll Harrison, Manager, Lifestyle, Innovation, and Regional Communications VIA EMAIL; Scott Neal Wilson, Head of Communications, Volkswagen Chattanooga VIA EMAIL; Catharina Mette, Head of Communications, Engineering & Planning Center VIA EMAIL; Gina McCarthy, Administrator, Environmental Protection Agency VIA EMAIL; H. Curtis Spalding, Region 1 Administrator, Environmental Protection Agency VIA EMAIL; Deborah L. Harris, Chief, Environmental Crimes Section, U.S. Department of Justice VIA EMAIL

Additional Resources:

For Information on Blue Carbon:

<http://www.waquoitbayreserve.org/research-monitoring/salt-marsh-carbon-project/background/>
<https://www.estuaries.org/bluecarbon>

For Information About the Herring River Restoration Project:

<http://www.friendsofherringriver.org>

Literature Cited:

Murray , B., Pendleton, L., Jenkins, W.A., and Sifleet, S. 2011. Green Payments for Blue Carbon: Economic Incentives for Protecting Threatened Coastal Habitats. Nicholas Institute Report. NI R 11-04.

Poffenberger H, B. Needelman, and J. Magonigal. 2011 Salinity influence on methane emissions from tidal marshes. Wetlands 31:831-842.

Solomon, S., D. Qin, M. Manning, Z. Chen, M. Marquis, K.B. Averyt, M. Tignor and H.L. Miller (eds.). 2007 Contribution of Working Group I to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC). Cambridge University Press, Cambridge, United Kingdom and New York, NY, USA.

Walker, T. et al. 2015 Potential 'Blue Carbon' Benefits from Restoring Tidal Flows in Coastal Marshes of the Northeast U.S. (in press).

From: K Taylor
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 5:36:56 PM
Subject: owner comment on proposed VW settlement

I am the original owner of a 2010 Jetta TDI. I think it was despicable what VW did, but I love my car. I don't think the settlement offers me sufficient compensation and I think the settlement contains several misguided provisions that fail to protect the environment.

First, one of the reasons I purchased the car was fuel efficiency. The second was longevity of diesel engines..about twice that of gasoline engines. To replace the vehicle I currently own, I would need to find an extremely well maintained car with no defects with an expected additional lifetime of about 250K miles. That is the equivalent of a brand new car. The blue book price does not reflect the value of the car to me in any way.

Second, I think the provisions in the settlement would result in more environmental harm than good. This is because the authors of the settlement did not take lifecycle environmental costs and carbon costs into account, but are solely focusing on the NOx emissions. A new car requires about 12T of carbon to manufacture. The only other cars on the market with comparable fuel efficiency are hybrids. I specifically chose not to buy a hybrid because they require large amounts of rare elements--the mining of which is effectively exporting pollution--and will require special disposal. Additionally, the fleet of VW TDIs are far far cleaner burning than older fleets of cars in other countries, so rather than "exporting pollution," using them elsewhere would actually serve to clean up the air. I don't think VW should profit from their resale, but I think it is a huge waste to not use them.

Third, there is no certainty [REDACTED] will approve fixes and the settlement leaves me out on a limb if they don't, since I live in that state. I don't consider that an acceptable representation of my interests.

I would much much rather see a "register and remediate" program, where owners can continue to register and drive the cars (yes, in [REDACTED]), and VW would pay both a per mile fee and fund offsets. This would be more equitable, not punish the drivers, and achieve far more air quality and overall benefits than the proposed settlement.

If I had the funds to do so, I would purse an independent settlement

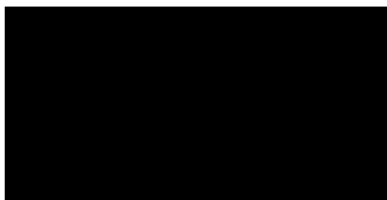
Kim Taylor
[REDACTED]

From: Marie Venner
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 4:41:49 PM
Subject: DOJ needs to start holding multi-billion corporations accountable for their lies and deception and the consequences the public has had to endure

DOJ needs to start holding multi-billion corporations accountable for their lies and deception and the consequences the public has had to endure, starting with Exxon and VW.

Mrs. Marie Venner


Wig Zamore



August 5, 2016

With regard to the VW and Audi 2.0 Liter Diesel Engines

VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION

Case No: MDL No. 2672 CRB (JSC)

NOTICE OF LODGING OF PARTIAL CONSENT DECREE

Hon. Charles R. Breyer

Assistant Attorney General, US DOJ-ENRD, P.O. Box 7611, Washington, D.C. 20044-7611

Via Email to: pubcomment-ees.enrd@usdoj.gov

Copies to: US EPA, Massachusetts AG Maura Healey, Massachusetts DOT Secretary Stephanie Pollack

Dear US Assistant Attorney General:

I am writing as a concerned citizen and serious environmental health researcher with regard to the proposed VW 2.0 Liter Partial Settlement and the disposition of \$14.7 billion related thereto. I especially appreciate the efforts of US EPA, the California Air Resources Board and the Breyer Court in moving quickly toward resolution of these serious air quality and public health violations.

As you know, roughly \$10 billion is set aside for vehicle owners, \$2.0 billion for Zero Emission Vehicle and related electrification projects, and \$2.7 billion for Eligible Mitigation Actions (EMAs), the latter in proportion to VW and Audi 2.0-liter engine sales by state, with a \$7.5 million minimum. Massachusetts' share of the \$2.7 billion EMA tranche is expected to be \$69 million.

My comments will focus on the extremely serious current and ongoing environmental health impacts of transportation emissions on nearby populations and the rationale for allocating a portion of funds to Somerville in Massachusetts, as well as some other nearby communities. However, I would first like to touch on the various spatio-temporal scales of mobile emission impact.

A decade or more ago, NOAA scientist James Hansen pointed out that aerosols and ocean feedback loops are major contributors to climate uncertainty. Since that time, black carbon (BC) from diesel has moved to the forefront of climate science, particularly with regard to short term impacts. IPCC's most recent AR5 assessment recognizes four times the BC impact of earlier assessments.

This rapidly growing concern with regard to BC was quantified recently in a consensus JGR paper by Tami Bond et alia, based on the work of Ramanathan and others, and is fully reflected in CARB's climate assessment via their focus on short lived climate pollutants (SLCPs) like BC, methane and N2O. BC is primarily emitted by diesel engines. Its rapid reduction represents a major opportunity.

Outside of California, there is very little government science capacity that would allow more robust inclusion of BC and SLCPs in state and metropolitan climate models. For example, Massachusetts and the Boston MPO have no current capacity to model BC, leaving both the state and citizens uninformed about the need to prioritize diesel reduction, for both climate and local health benefit.

Regionally, especially in the US West, NO_x is a major driver of ozone formation and persistence. Massachusetts has nominally just succeeded, after 40 years of ozone NAAQS violations, in reaching ozone attainment. Nevertheless, a reluctance at EPA and CASAC to tighten standards, increasingly warm summers and persistent mobile congestion all contribute to ongoing ozone health impacts.

Also regionally, the inability of citizens to separate themselves from their personal means transport and their freight served personal consumption habits, have left citizens of many advanced nations intensely exposed to particulate matter from mobile sources. Particulate matter (PM) is the undisputed main driver of impacts from air pollution, responsible for millions of deaths per year.

In the US, EPA's last PM NAAQS assessment concluded that fine particle related premature deaths per year were between 140,000 (Krewski, American Cancer Society cohort) and 360,000 (Laden, Harvard Six Cities Study). A growing body of research also suggests that near source exposures to ultrafine particles and other near road emissions may fully equal fine particle health impacts.

Indeed, reputable studies have found 50% or greater risk of cardiovascular and lung cancer mortality for those living within 50 to 100 meters of major roadways (e.g., Gan Vancouver and Nyberg Stockholm studies respectively) and equal increased risks of childhood asthma for the same household locations (McConnell, s. California) and even greater autism spectrum risks (Volk, CA).

Working with local universities like Tufts, Somerville MA citizens have participated in leading edge studies of ultrafine particle (UFP) exposures and cardiovascular health. Using a mobile laboratory as well as stationary monitors, we are among the first in the world to show a statistically significant relationship between chronic UFP exposures and C-reactive protein and Interleukin 6.

These findings have not been a surprise given Somerville's transportation exposures. Somerville has the greatest population density of any Massachusetts community, about 20,000 per square mile (SM). As well as the greatest roadway vehicle miles traveled per SM and the greatest diesel rail exposures too. This combination of surface transportation emissions and population is deadly.

In the early 1970s, several years after passage of the Clean Air Act Amendments of 1970, Massachusetts and the US government built I93 through Somerville's most environmental justice intense neighborhoods notwithstanding official environmental project studies showing extremely high PM and lead exposures would result. Adjoining communities received new green space.

As Boston's Big Dig I93 was being considered, a list of transit commitments and other community benefits was agreed to in 1990 and 1991. Those legal obligations were encoded within the Massachusetts State Implementation Plan (SIP). A new Green Line light rail service to Somerville was the single largest environmental mitigation in both the Big Dig and SIP commitments.

And remains so to this day. Meanwhile the state has completed virtually all the other SIP transit and Big Dig commitments, including new commuter rail service and large new public parks in Boston and Cambridge, our much more commercially prosperous neighbors whose economies benefit from the highways and diesel commuter rail lines whose vehicles run over Somerville daily.

Notwithstanding its burdens, Somerville is a “can do” community, looking forward rather than back. On the site of a former FORD plant at Assembly Square, we are working with developers to build a transit-oriented mixed use district on the Mystic River. On that site, the community was able to insist on the first new subway stop in Massachusetts in three decades, without MBTA funds.

In Union Square and elsewhere, we are working to build a sustainable “average income” community with increased dependence on light rail, walking and bicycling. And to reach ambitiously increased affordable housing and job creation goals. We lead the state in cycling growth and educational improvement. To become healthier, we desperately need light rail and active transportation.

Accordingly, I would plead that some of the Partial VW Settlement funds available be allocated to EMAs which support the completion of regional light rail and off road community paths and electrification projects that will allow Somerville citizens to become less burdened by regional highways and diesel rail impacts.

Boston MPO data show that, when mobile exposures and population density are jointly considered, Somerville’s exposures are roughly double that of any of Massachusetts’ other 350 communities. Outside of Somerville we would support relief for Chelsea, and within Boston, East Boston, Roxbury and Dorchester.

Thanks you for your attention.

With Best Regards, Wig Zamore



July 20, 2016

Assistant Attorney General, Environment and Natural Resources Division
United States Department of Justice

SUBJ: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Product Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Please consider these comments submitted by Orange EV in reference to the above consent decree in order to ensure that Orange EV's new and repowered vehicles in all their forms and U.S. sites are eligible to receive funding outlined in the consent decree. Orange EV manufactures electric yard trucks (aka hostlers, spotters), class 8 trucks that are known by many other names also shared below.

Please affirm and clarify all of the following.

- 1) yard trucks are eligible as both on-road (i.e. on-hwy) and off-road (off hwy, non-plated) vehicles.
- 2) diesel yard trucks may have the option to either be repowered with an electric motor and drive system or replaced by an all-electric yard truck.
- 3) the yard trucks be deployed anywhere, not just to seaports as the word "ports" could suggest and instead anywhere in the supply chain such trucks exist.
- 4) replacement vehicles may be any model year as long as it meets the emission standards of the year that the mitigation action takes place. Since Orange EV vehicles are all electric and have no emissions, the model year should not matter.
- 5) when repowering trucks, it is NOT required to destroy the entire truck, rather if necessary, just to destroy the diesel engine being removed from the repowered truck. This enables reuse / recycling of other portions of existing trucks e.g. cab, frame, other non-emitting durable elements. Orange EV carefully inspect such donor trucks to ensure those durable elements can be made new again when repowering vehicles. Trucks produced anytime after 2000 can make very good donors.
- 6) if possible also confirm that purchase of new electric yard trucks may be funded without having to repower or replace an existing yard truck. Yard trucks are often operated for large manufacturers and distributors by contract 3rd party logistics firms. Allowing the growth of the fleet without requiring an existing truck to be scrapped, enables more aggressive, often younger green-minded fleets to more quickly adopt clean technologies in competition with incumbent fleets. These more aggressive green fleets thereby put pressure on incumbent fleets to adopt as well. The incumbents must similarly upgrade or face loss end consumers (who reward green) and businesses contracts (especially with consumer brands) which are now with other things being equal more quickly awarding service contracts to greener fleets.

What is a yard truck? Yard trucks are heavy duty, class 8 vehicles used to move cargo trailers around container handling facilities like warehouses, distribution centers, manufacturing plants, rail intermodal yards, ports and more. These trucks move the container which semi tractors and other dray trucks deliver to and from the facilities. Yard trucks are lesser known than the semi tractors because yard trucks operate behind the gates in enclosed yards and away from public eyes. That said, many of the facilities which operate these trucks are located in and surrounded by disadvantaged communities. *Yard trucks are known by many names: terminal truck, hostler, spotter, shifter, yard horse, yard dog, tug, buggy, goat, mule, yard tractor, pony, shunter, yard jockey, hustler, shag, Ottawa tractor, switcher, spotting tractor, stevedoring tractor, trailer mover, shunt truck, yard pig, yard tug...and more.*



Why yard trucks? Diesel yard trucks are significant polluters that work more hours than semis, often around the clock in 24x7 operations. No CDL is required so anyone can drive them. Drivers operate the trucks in shifts to keep the truck working. VW Settlement funds would be used to deploy new electric, or repower existing diesel trucks to become 100% electric T-Series terminal trucks.

Emission Reduction. Using Orange EV's electric yard truck results in a 100% reduction of mobile source emissions. The estimated emission reduction per truck is up to 166 tons of CO₂ / year and 2.8 tons of NO_x / year from tier 2 engines.

Precedent for yard trucks: New and Repowered electric yard trucks are already eligible for funding by the Federal DERA program, California's Carl Moyer program and others. Orange EV's electric yard trucks were reviewed by the California Air Resources Board and approved for sale in the state of California.

Availability of Orange EV's electric yard truck: Orange EV's T-Series electric yard trucks have been commercial available since 2014 and commercially deployed since 2015. Orange EV yard trucks are

Other notes, based on definitions in Appendix D2 of the Consent Decree

- **Yard Trucks meets definition of Class 8:** "Class 8 Local Freight, and Port Drayage Trucks (Eligible Large Trucks)" shall mean truck tractors with a Gross Vehicle Weight Rating (GVWR) greater than 33,000 lbs used for port drayage and/or freight/cargo delivery (including waste haulers, dump trucks, concrete mixers)." ***Orange EV's yard truck is a class 8 truck. If using dump trucks as an example, it follows that terminal trucks are also included. Also GVWR for Orange EV trucks is 40,800 LB, well over the prescribed 33,000 LB.***
- **Meets definition of GVWR:** "Gross Vehicle Weight Rating (GVWR)" shall mean the maximum weight of the vehicle, as specified by the manufacturer. GVWR includes total vehicle weight plus fluids, passengers, and cargo." ***Terminal trucks more commonly use GCWR which for Orange EV yard trucks is 81,000 LB. And as above, GVWR for Orange EV is 40,800 LB. Gross Combined Weight Rating (GCWR) represents the rated combined weight of yard truck, trailer and cargo being pulled.***
- **Meets definition of Freight/Drayage Trucks:** "Drayage Trucks" shall mean trucks hauling cargo to and from ports and intermodal rail yards." ***Yard trucks are generally intended but sometimes previously not clearly made eligible in such funding program language. Orange EV's trucks can be built for both on and off-road use. Even if made on-road they often operate principally within a terminal yard.***
- **Meets definition of Electric / Zero-Emissions:** Orange EV's trucks are 100% battery powered with no fossil fuel burning equipment. There is no tailpipe or emission.

Please let us know if we might be of assistance. Thank you for your consideration.

Respectfully,
Mike Saxton
Orange EV, Chief Commercial Officer

From: noah a.
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 12:19:38 PM
Subject: Concerns for diesel settlement

There is concerns about terminology used in deal so that owners don't pay taxes on their settlement amounts gained from all this.

There are concerns that the amount given for buy back from vw is based off trade in amounts but to buy a comparable new vehicle these values are not sufficient they should be based of selling amounts rather than trade in Refer to a car salesman for further explanation.

There's is concern about extras that customers individually purchased such as vehicle warranty coating thousands on each car through vw finance ppl this value should also be accounted for some how with buy backs...

Also I feel there's should be an additional option with an increased value to customers if they want to stay loyal to vw they should get even more money but have it strictly towards the purchase of a vw car this will give customers value bytes also keep money in the hands a vw

From: Noah A
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 12:10:01 PM
Subject: Settlement concern

Using Trade-In Value - the vehicle return amount is much lower than what would need to purchase a comparable car. When the news came out about the problem with the VW diesel cars, I went to my VW dealer to see if I could trade my car in for the gasoline version of the same car. They were going to charge me an additional \$12,000 over and beyond what I had paid just a year ago for a brand new car (including my trade-in). In preparation for that visit to the dealer, I had printed out the true market value prices for my TDI 4door car with sunroof on September 29, 2015 from Edmunds.com. That value had been frozen based on the value immediately before the public announcement of the emission cheating software. The trade-in value for my car at that time was \$19,555. The private party value was \$21,263. The dealer retail value was \$22,725 and the certified user price was \$23,687. This means that the true market value that is being used to set the buyback values (in my case \$20,850) appears to be based on TRADE-IN values. We can not buy a comparable car using the TRADE-IN values.

The offer to owners/renters should include not only a penalty charge for lying to us and creating an environmental problem, but, also incorporate the difference between what a gasoline version cost and the TDI that we paid when purchasing the car, fair value for the car, extra \$ to cover any tax implications, and extra \$ to make sure that we can fairly compete in the market for a replacement car.

From: Noah A
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 11:58:43 AM
Subject: Diesel settlement comments and concerns

Hello,

I am very concerned about the miles that vw will deduct from the value of the buy back I and many other TDI owners can put more than 20k miles on the car per year I the deal becomes not such a good deal if we sell our cars to vw.

I also feel the buy back about could be a a bit higher across the board

Also what happens if you traded in you bought your car before Sept 18th but traded n for another TDI after September 18th? But before June 28th?

I think the deal should have an even better value option if you want to buy future vw cars... that would help the vw Branden even more... maybe instead of pure buy backs an option worth maybe 5% more but strictly to pay off the owners car and then get them into another vw

From: Steve Achey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 12:54:13 PM
Subject: VW Diesel settlement

Dear Sir/Madam,

I would like to add my comment and voice my concern over the VW settlement.

First, I'd like to know how the terms for settlement for Lessee's were arrived at? It appears that the only settlement I will receive is for approximately \$3600 yet the same vehicle "owner" will receive approximately \$27,000?

•Why?

Second, in my situation, I lease the vehicle for work use and simplicity in accounting for vehicle expenses. We generally have purchased the vehicles after the end of the lease term because almost always the vehicles are "over" the mileage limits. This is now hugely problematic because the VW value has fallen so dramatically. The price that VW is quoting for the buy out is roughly \$7000 higher than the market value. Given the circumstances, I would just like to turn the vehicle in to VW but VW is saying that I will have to pay a mileage penalty on the vehicle which is roughly \$2600.

•Can VW openly wholesale these vehicles?

•What is the point of a "stop sale" order if VW can simply wholesale these vehicles?

•If VW can't wholesale (or resale at all) these vehicles, how can they charge lessee's a mileage penalty?

All in all, VW mislead everyone along the way. I feel the settlement as structured is inadequately vetted with regards to handling leased vehicles and settling fairly with Lessee's.

Steven Achey


Sent from my iPhone

From: C Berkeley Adams
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 7:08:06 PM
Subject: VW Diesel Settlement

We are the owners of an affected vehicle, a 2009 Jetta TDI. While the proposed settlement is a fair one, after waiting six months for a resolution of the scandal, we purchased a Toyota, took our Jetta off the road, and stored it in the garage. We will accept the buyback. Since the Jetta is no longer licensed, VW of America should arrange for a local VW dealer to pick it up at our home. VW should reimburse the dealer for any expense related to returning the vehicle for the buyback—this problem is not the fault of New Motors, our exceptional VW dealer. The car is in perfect running order and can be retrieved by a driver from the dealership using a dealer plate.

Sincerely,
Jill Adams

Sent from my iPad

From: Derth Adams
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/31/2016 2:21:44 AM
Subject: Comment on VW diesel consent decree

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

To the Assistant Attorney General-

I'm an owner of one of the affected 2.0L VW diesel vehicles. While I'm glad that VW is having to buy back the cars, I think that we should be getting the full price that we originally paid, not a depreciated amount as outlined in the consent decree.

It seems to me that generally the remedy for fraudulent misrepresentation is at least rescission, or a full refund, not a refund of the depreciated value of the goods. It's true that I've driven my car for almost four years and used up quite a bit of its value, but I don't think we as owners should be punished for the fact that we didn't immediately realize VW's deception and ask for our money back in a more timely fashion - the cars' defects were not obvious and required highly specialized equipment to detect.

Because this is a forced sale, the use of trade-in values feels unfair. Most owners will have to get another car to replace the one they're selling, and the buyback amount may not be enough to purchase a comparable vehicle. I know I was planning on keeping my car for around 10 years, so this buyback will ultimately take money out of my pocket.

Also, the cars are going to the crusher anyway, so it feels odd that the buyback price is being adjusted based on mileage, as if VW cares about the condition of the cars they're getting back (as they would if they were a dealership accepting a trade-in).

Thanks for the opportunity to comment.

Sincerely,

William Adams

Sent from my iPhone

From: Carlos Adelantado
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:30:00 PM
Subject: Vw diesel comment

My name is Carlos Adelantado and I'm sure like many other vw diesel owners I'm not satisfied with the arrangement/buy back being offered by vw.

Let me just explain a little bit regarding my decision to purchase this veh.

I am a territory sales manager where I put an average of 200 miles a day in my veh driving through [REDACTED] [REDACTED]. My decision on buying a car wasn't done lightly and was done deliberately for the gas mileage and performance combo that no other vehicle whether gas or hybrid came close to reaching. One of the ways my employer pays me is by reimbursing me per mileage I drive, I hence use this money to pay for gas expenses.

Having the veh fixed while hurting the performance and gas mileage of the vehicle will completely destroy the reason why I purchased the vehicle. One at this point would assume to take the buy back and recoup my losses. The unfortunate part is that what vw is offering is NOT enough to compensate for the fact that they flat out lied to the consumer and in hence caused us to make decisions that are affecting us financially. If I get car fixed I will get less gas mileage which means I'm taking a pay cut since I would have to pay more money that my company reimburses for mileage towards gas leaving me with less money.

The near 29k they are offering me for my 14 vw tdi sel premium sounds like a good deal until you realize that vw is going to penalize me for using the vehicle and adding mileage to it. According to a chart I saw I will roughly get dinged about 5k-7k for the 75k+ mileage I have on the vehicle today, by the time settlement is reached I will have over 80k. This would only leave roughly 22-24k. WHICH IS WHAT I WOULD OWE AT THE TIME TO LAY VEHICLE OFF TO FIANNCE COMPANY - so taking the buy back would actually leave me with out a car, with out any cash to buy another car and with what I consider renting a veh for 2 years at 400+ a month.

I love the car and if there was a fix with out affecting mileage I would take in an instant with out compensation, but it seems my only 2 options are going to leave me(THE CONSUMER WHO WAS LIED TO) losing out.

We as consumers where duped into buying these vehicles we should not have to pay any penalties whether mileage wise or anything else for Volkswagen wrong doing.

Settlement offered with out penalty of mileage or any kind I believe is not only fair but the only acceptable fix to this situation for consumers.

I would accept 29k-35k straight buy back -anything short of this and it's going to leave me no choice but to hold onto car with out getting fixed for as long as I can and bring my own lawsuit towards Volkswagen.

I don't even know if who ever is reading these has read this far into my comment, if so I would like to thank you for the attention to the matter and please understand, this was straight FRAUD perpetrated on CONSUMERS so that they can make more sales and more profit - DO NOT LET THEM PUNISH US FOR THEIR WRONGS

From: John Aldrich
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 2:38:46 PM
Subject: VW TDI Public Comments

Hello,

Document 1605-1 states that Volkswagen must offer to buy back vehicles affected by the diesel emissions scandal. "Buyback" is defined as a payment that equals or exceeds the Retail Replacement Value of the vehicle (see below). The information at <https://www.vwcourtsettlement.com/> leads the public to believe that VW will use the Clean Trade-In vehicle values taken from the NADA Used Car Guide prior to the scandal. The Clean Trade-In is NOT the same as the Retail Replacement Value; the Retail Replacement Value is significantly higher. This cannot be allowed.

Appendix A, Section 2.4: "Buyback" shall mean the return of an Eligible Vehicle by an Eligible Owner to Settling Defendants, under terms and in accordance with a process to be established by Settling Defendants consistent with this Appendix A, in exchange for a payment that equals or exceeds the Retail Replacement Value.

If VW is using the "Additional compensation" as a ploy to work around paying the Retail Replacement Value for the vehicles it needs to be clearly communicated to the public before the buyback program commences.

Best regards,

John Aldrich



From: Jason Alliston
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 3:31:04 PM
Subject: Proposed settlement not enough

Hello,

While the proposed settlement is a step in the right direction, it really leaves out the owners of essentially new 2015 Volkswagens. I, for instance, purchased my VW Golf Sportwagen TWO WEEKS before the scandal broke.

In my case, being offered clean trade value based on the value at the time is bogus. My car was literally new, but the settlement instantly depreciates it thousands of dollars. So in essence, those of us with 2015 vehicles are eating a lot of equity that is deservedly Volkswagen's to bear.

I believe that 2015 vehicles, and potentially even 2014 vehicles with less than 10,000 miles should be offered RETAIL value rather than trade. Otherwise the instant negative equity is eaten by us, the owners, by taking a chunk of the punitive damages to pay off the vehicle.

Thank you,

Jason Alliston


From: Aman, Wendy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 12:41:43 PM
Subject: VW TDI Settlement

My husband are the not so proud owners of 2 TDI products, a 2013 Passat TDI SEL and a 2015 Audi Q5 TDI. I have read through the materials and have a few concerns.

- 1) It appears that there is a range on each vehicle, however, it also states the buyback is based on mileage and condition of the vehicle. So, is there a mileage chart and who determines the condition of the vehicle? If dealers are handling the buyback, are they offered incentives to devalue my buyback amount? I have serious issues if dealers are involved and provided a financial incentive to effect my buyback amount. This process should involve as little "evaluation" as possible.
- 2) I would like to see transparent information on the process. If I submit my vehicle on July 28th, I believe that VW should be required to act in a set amount of time, as I will need to be able to plan on procuring my replacement vehicle. There should be a 30 day max window for VW to act, with penalties provided to the affected owner (a daily fine) for delays. This process has dragged out far to long and it is time to hold VW's feet to the fire.
- 3) My husband purchased his Q5 Audi in Feb of 2015. It is my understanding that the company and government had full knowledge of the fraud. We deserve additional compensation as our purchase was made when the dealer potentially had knowledge that they were selling us a compromised product.

I would appreciate a response to my questions and concerns.

Wendy Aman

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From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 12:19:48 AM
Subject: VW TDi Settlement

As an owner of a 2013 VW Jetta TDi I would like to comment on the proposed settlement:

I was initially concerned about some of the areas that I would not do well on, such as the accessories I had purchased along with a new set of Michelin snows. Of great concern was the fact that I would be buying a new car with no trade in and would be subject to state sales tax on the entire purchase.

The proposed settlement gives me enough money to more than cover the areas of my concern. In my opinion it is fair and reasonable and should be given final approval. It's time to move on. I've been living with this for almost a year now and given the nature of the emission problem, I am no longer driving my vehicle. It's most unfortunate, this was a high end VW with every possible option and it was one of the nicest cars I've driven in a while.

I've ordered a new hybrid vehicle and have already filed my intention to sell back my vehicle on the VWGOA site. The sooner the better.

I realize there may be some hang ups with the retrofit proposal. If there is, I would strongly recommend letting the buy back portion of the settlement proceed. It is time to let folks like myself get out from under this mess. I am tired of looking at my VW sitting in my garage. It looks like new, just sitting there, it's sad but time to move on.

I am really hoping the deal will be approved so the people like myself and get on with their lives. Come Oct 1 my new hybrid will be here. The new vehicle has a MSRP of \$38,500 less incentives / rebates plus a whopping amount of state sales tax. I will have to fork over a considerable sum of money to buy it. The sooner I am able to turn in my TDi the better off I'll be.

I am content with the amount that I will be receiving for it, let's move on.

Thanks for your consideration of my opinion

Joe Amoroso
[REDACTED]

From: anthony
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 11:26:27 PM
Subject: VW Settlement Comments

The thing that upsets me the most is that the financial decision that I made was ultimately based with incomplete or even falsified information. Hindsight, which is 20/20, now says that i would have been better off making a different decision such as buying a cheaper car to own for a shorter amount of time due to reliability. Instead of purchasing a car that could last 100,000+ miles more than an unleaded engine; I am now stuck with a car that at best may only be usable until 2018 (not even 4 years of ownership, and with no modification approved I can't count on that at this time) and ultimately a waste of an investment as. An informed decision that was based on flawed information will put us in worse shape than anticipated as ~2019 the car would have been paid off and may potentially have another 5-10 years before maintenance costs warrant a new vehicle. While the settlement does seem reasonable, it is ultimately appears based on the assumption that someone would only until a few years after the note is on there (5-7 year ownership) at best and does not account for people who considered the life of a diesel engine over an unleaded gas engine as part of the basis for purchase.

My view is that the adjustment for mileage is a means of throwing in cost mitigation into the settlement. My stance is that rather than pre-scandal trade in value adjusted for mileage is not with the consumer in mind as many of us made an ill-informed decision as there is the fundamental view that our vehicle will be able to be driven for as long as we choose. In the absence of an approved fix, living in a state without emissions testing for tagging a vehicle, I cannot rely on the unknown that will my vehicle be driveable after the 2018 time window for the VW Settlement. I again am stuck with not being able to make an informed decision as the second key scenario of "Can I chose to do nothing" if an approved fix is not agreed upon by Regulating Authorities and VW. Therefore, I can only rely on the fact that by the end of 2018 I very well may be forced to one option, either take the settlement or be left with a vehicle that may not be street legal after that time window has come an gone.

In my view the model year, when first tagged by a consumer or when purchased off the dealership new (based on title history), should be locked in at the Sept. 2015 average mileage for that vehicles "lifetime on the road prior to the scandal". From that mileage, the mileage should then be increased for each month after the settlement is official and available to the consumer that the car is not "sold back" to VW. i.e. $\text{Average Mileage} \times \text{Months deal available} / 12 + (\text{Sept. 2015} - \text{Model year month first available for sale or year first tagged}) * \text{average mileage} / 12$. So a 2014 model year first owned in June 2015 that waited 1.5 years (estimated time window to deadline of buyback offer) would be 3 months + 18 months or 21 months of total average mileage to prorate the buyback amount for Sept. 2015 prices. My logic for this, is that all of us have been in limbo this entire time and that mileage after the scandal can just as easily be tied back to not having many options given the uncertainty that this entire scandal puts on the owners. This is for both extremes, those that have lost depreciation for those who keep new cars for short time windows (2-3 years) and long term fianacial gains lost for those who intend to own cars for time windows much longer than the note on the car.

From my point of view, there is no guarantee a VW fix will be approved and therefore for the people who want to keep their vehicle beyond the settlement window will be in limbo and have to chose between the hopes of an approved fix or sell back their vehicle. The option of selling back, for at least those in my situation (purchased new prior to scandal), will be in worse financial shape due to being forced to buy an older vehicle of lesser quality (older/different brand) to keep total debt liability the same (i.e. lower monthly payments for a longer time) or buying an equivalent car would put them at paying the same monthly payments for a longer period of time.

In my example, an ex-wife who cant afford new car payments at this time (of which I am responsible for

the note through the divorce decree) is faced with the situation of being forced to sell back the car and take whatever car she can purchase with the left over funds of the buyback plan (estimated at \$10,000 - \$15,000 depending on when the buyback occurs, this amounts to a vehicle that is 1/2 the value of the car we purchased and may be of less reliability).

2014 Jetta TDI purchased new July 2015 Owner

From: Mark Aresco
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 11:08:42 AM
Subject: VW Settlement Comment/Question

US Department of Justice,

As a VW Passat TDI owner, I would like to know how remaining loan balances with VW Credit will be handled. Will they be forgiven as part of the buyback program or do owners have to pay the loan balance with the buyback cash? I would endorse VW forgiving any loan balances which is only fair due to VW's fraudulent scheme that induced me to buy the car in the first place. VW should not be able to "net" the buyback amount thus reducing their actual penalty.

Thank you.

Mark Aresco


From: Ken Augustson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 11:50:55 PM
Subject: VW settlement comment

August 2, 2016

To whom it may concern,

There are 2 points I would like to make to address the Volkswagen Settlement.

1. Those who choose the buyback option and own only one vehicle will have to make a transition from their VW to another vehicle. Not everyone will have cash laying around to buy another. Finding one will take time and may involve having to rent a vehicle until a purchase is made. VW should compensate owners for this cost and inconvenience.
2. Currently those with an older VW will be compensated less than those who purchased a new VW before the emissions scandal. The rationale for a owner of a newer vehicle getting up to twice as much as someone who has polluted the most makes no sense. This seems to be the opposite of what is needed. We bought a diesel TDI because it was advertised to pollute less and get great fuel economy. Why should someone who may have had a vehicle less than one year get greater compensation than one who has had it longer, driven more miles and therefore polluted longer and greater amounts of pollutants. We who have had the burden of knowing we polluted the most and the longest should be compensated accordingly. Compensation should be based on how many miles the vehicle has on it. The current method for compensation is totally unacceptable.

Sincerely,

Kenneth Augustson & Nancy Augustson

From: JEN B
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 1:23:33 PM
Subject: Vw diesel settlement

To whom it may concern,

This is terrible us owners paid a premium for these so called clean diesels and now we are getting wholesale price while being stuck with the car for over a year. The amount vw wants to pay us won't even cover the loan outstanding. We have been terribly injured and now I am going to have to op out and sue individually. We can't afford to take a loss on this and we shouldn't have to we were tricked and now we are again let down. This is so insulting and infuriating no wonder they cheated they get off so easy and the owners are the ones who take the hit. They have years of high revenue on these and pay the lowest amount possible for the vehicles this isn't a fair settlement.

Sincerely,

Jennifer

From: Mike
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/24/2016 4:10:25 PM
Subject: VW TDI RECALL

Sent from Mail for Windows 10

The VW company has admitted deception in the case of the TDI emissions . I bought my diesel car in the hopes of driving it for many years and now I'm going to be penalized if I sell back my car because I have driven it too much. The selling points when I purchased were "760 miles on one tank" "not needing to stop to refuel" " clean diesel cars are serviceable for more miles than a gas vehicle". It is ironic the court system would allow VW to reclaim monies from customers over the very same sales pitch VW used to sell the car.

I completely disagree that VW should be allowed to deduct mileage form any vehicle in the VW emissions buyback program.

MB

From: Caren Bailey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 11:47:21 AM
Subject: Comment regarding VW Diesel Settlement-1.docx - Hword 2014
Attachments: Comment regarding VW Diesel Settlement-1.docx

Hello.

I am one of the consumers impacted by vw's dieseldate scandal.

While I am very pleased an agreement is in process and I will soon be rid of my vehicle (and VW) I was disappointed to learn that a mileage penalty will be applied to the buyback price. I, like so many others, purchased the diesel vehicle because they are known for their longevity and reliability. This vehicle was sold to me as being able to take the higher than average miles of my commute. I feel the mileage penalty is unfair and unacceptable.

Please submit the attached comment regarding this situation.

Thank you,

Caren Bailey
[REDACTED]

Comment regarding VW Diesel Settlement

I'd purchased my 2013 VW Jetta sedan for the amazing efficiency and longevity for my long commute and the performance. One of the key selling points that prompted me to purchase this vehicle over the alternatives I had considered was the longevity of the engine and its ability to take more miles than a gasoline engine. When I purchased the vehicle, I knew I was going to put a lot of miles on it due to my commute. I have put nearly 75,000 miles on a car that is not even 3 years old (purchased in late 2013). That's nearly 28000 miles per year, far over the 'average' of 12,500 miles/year the settlement indicates. Had I been able to sell the car when the scandal originally broke, I would have done so happily. Had I been able to park the vehicle at that point, I would have not hesitated. Unfortunately neither of those options were available to me. There wasn't a dealer in a 50 mile radius that was willing to even consider my vehicle until VW decided what they were going to do. I had to go to work and there's no public transportation available where I live.

While I am pleased that after the better part of a year, we are finally approaching a satisfactory resolution, I was disappointed to learn that I would be penalized for the fact that my car has higher than 'average' miles. I would wager that the majority of people who buy a diesel do so knowing that they will get an efficient engine that will stand the test of time and high miles. Given the fact that this was touted to me as an advantage by the dealer, I am confident I'm not the only one who drove over the 'standard' miles. I feel being penalized for making use of the vehicle as it was marketed to me is unjust.

I ask the court to consider removing the mileage adjustment from the vehicle's value assessment for purposes of the buyback.

Thank you,

Caren Bailey



From: Baird, Ed
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 9:05:22 AM
Subject: VW settlement

Edward Baird

[REDACTED]
2014 VW Passat TDI SEL Premium Vin# [REDACTED]

After reviewing the proposed settlement presented by Volkswagen I would like state that I will be likely DECLINING ALL OPTIONS of the proposed settlement as it does not compensate me enough for my vehicle. Full purchase price is the only fair settlement here.

Volkswagen is not the victim here. As a consumer I am the victim of Fraud and expect to be compensated properly. The current proposal does not compensate for expensive installed options installed by the dealer and aftermarket professionals. There is also a deduction for mileage on a vehicle I have been trying to get out of the vehicle for over a year now and have been held hostage in continuing to pay for and maintain.

First off, it was made very clear that VW purposely and knowingly continued to sell vehicles that should have never been allowed to be sold in the first place. After it was well known within the company that they were cheating on emissions and producing illegal cars. They made the decision to GAMBLE on receiving a small fine and continued to promote, and sell illegal vehicles.

As a victim of VW's greed I should be made whole and not suffer any financial loss what so ever for their wrong doing. Total refund of full purchase price is the only fair settlement for me as a victim of this crime. The current settlement does not even come close to that figure. And let's not forget I have been held hostage with this car now for close to a year after the scandal was made public. I made several attempts to trade out of it. Three other car manufactures would not even entertain taking it in on trade. Volkswagen itself was willing to take it on trade at half the value of the vehicle thus profiting twice on this crime.

I understand this is a lot of money for Volkswagen to pay out. But they gambled and continued to knowingly sell vehicles that should have never been sold in the first place and profited very well from the sales of these affected vehicles. Do the right thing here for the real victims of this crime. FULL PURCHASE PRICE is the only fair settlement.

Respectfully submitted
Edward Baird

From: Hank Balle
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 6:19:24 PM
Subject: TDI Settlement

Dear Assistant Attorney General

I purchased my TDI Jetta due to fuel economy and life expectancy of the engine. I drive around 20K mile a year. I have VW service documents that show was at 50,000 miles in October 2015. In the court documents there are only provisions for determining mileage by a formula of 1,042 miles every month. This is well under what I drive. Please allow drivers to provide documentation of mileage and make appropriate adjustments in compensation for people who drove more miles.

Thank you

Hank Balle

From: Bancroft, David G CIV NUWC NWPT
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:09:01 AM
Subject: VW Settlement comments

Overall I think the proposed settlement is reasonable considering the fraud that VW committed with respect to the 2009 - 2015 TDIs, however:

Recommendations:

- Initial value should be based on NADA Retail, not Trade-In. With no fix announced for Gen 1 cars, we, the consumer, are being forced to purchase a replacement car. I had planned on owning my 2011 Golf for 10 years / 200K miles. Now I have to go through the car buying process again and will end up with an unplanned for car payment, sales tax, excise tax etc. As a matter of reference, about 8 years ago Toyota instituted a buyback of Tacoma pickups in the North East due to frame rust issues. Toyota paid out 125% Kelly Blue Book Retail. And they didn't commit fraud like VW.
- The mileage adjustment severely penalizes the driver who exceeds 12.5K miles a year. The majority of people bought diesels because they drive a lot and wanted the advantages of higher MPG and the longevity associated with the diesel engine. Recommend that the 12.5K miles per year be increased to 18K miles or higher.
- without a clearly defined fix many owners will wait until one gets announced or it is determined to be not feasible. Unfortunately this puts the owner at risk should an unfortunate accident occur and the car gets totaled. The owner will no longer be eligible for the buyback and since there has not been approved fix identified by VW/CARB the owner should not be forced into this situation. VW should assume liability.

Thanks for your efforts,

Dave Bancroft
2011 Golf Owner



From: Sean Banks
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/30/2016 7:56:05 PM
Subject: Public Comments for Volkswagen

To whom it may concern,

Good Morning, I am a current owner of a 2015 VW Jetta TDI and I am writing in order to address the Volkswagen buyback in the proposed and now initially approved settlement. I am on board with the buybacks and the modifications, the issue I have and disagree with is the value Volkswagen is attempting to use. Now there is a proposed fix if it is approved those that sell their cars back for trade in value will have the cars fixed and turned around to sell on the market once more by Volkswagen in turn making their money back and then some to profit. It is my opinion which may not mean much that if this is allowed to happen Volkswagen will not take anything away from this situation, granted they are being fined by states but, they need to also go above and beyond for customers who have been affected by this so called scandal. My suggestion is to have Volkswagen pay the full retail price of the vehicles during the buyback, the reason I say this is yes, I could potentially take the modification and just keep the car but, then I am keeping something from a company I do not want a product from anymore. I do not have thousands of dollars to spend on a private lawyer to file my own independent lawsuit and I also do not want to have to wait another year since I have already waited almost an entire year for anything to be remotely done with them. Thank you for your time and consideration in reading this email.

Respectfully,
Sean Banks

From: Troy Barker
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 11:53:32 AM
Subject: VW TDI Settlement

Hello,

I am a lessee of a 2014 Jetta TDI. As such, I am one of the participants in this settlement. My wife and I leased this car with the sole intention of purchasing it after the term. We were both finishing college at the time and could not afford to purchase. As a result of this litigation, we will no longer be purchasing the vehicle from the lease.

I have found that the settlement does not fulfill our desires in the least. We receive half of the compensation that owners get, but in my mind, we are just as effected by it. We have lost all of the money that we put into this vehicle, as we cannot purchase it due to circumstance surrounding this ordeal.

At the very least, lessee's should have been given the option to purchase the vehicles after the settlement deadline in order to become an owner and receive the additional compensation. I believe the deadline to purchase the vehicle was made with absolutely 0 warning, and that is not right.

I can tell you confidently, if it comes to a vote on the settlement, my only choice will be NO.

Thank you for the opportunity to provide feedback on this matter.

Respectfully,

-Troy Barker

From: Brian Barnett
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 7:14:48 PM
Subject: VW Settlement

I have a few comments regarding the proposed Volkswagen settlement

1-- Claimants should have the option to go to either a Volkswagen or Audi dealer to collect the settlement payment

2--Should the Volkswagen Group offer any "loyalty incentives" they should be available for Volkswagen and Audi. For example if I turn in a Volkswagen but I'd like to buy an Audi, I'd like the same incentives Audi owners are offered. If any.

3-- Typically people have a trade in that reduces the amount of sales tax of the new car they're purchasing. If I decide to purchase another VW product, I'd like the NADA value VW assigned my car to be applied as a trade-in. Or other amount. For example--If VW said my car is worth \$10,000 and I apply \$5000 toward the purchase, \$5000 would be considered the trade-in amount. I am turning my car over to VW, so it seems like the same kind of transaction.

Thank you for considering my comments

Sent from my iPad

From: Jeff Bartlett
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 11:27:09 PM
Subject: 2014 VW Passat TDI SEL Premium

I have a 2014 Volkswagen Passat TDI SEL premium with under 27000 miles. I have looked at some of the documents listed on the Court's website and from what I can tell, because my vehicle is a 2014 I am not eligible to receive the extra 30% of the value of my car to pay off the outstanding loan that is financed through a credit union. So from what the online calculator tells me after all is said and done they will pay off my vehicle and I will only receive approximately \$1,300. I have over \$1,000 in Volkswagen accessories on my car as well as tinted windows that cost me around \$200 to get done. I went into this thinking that I was going to keep my car for a very long time and it seems that since they are the ones who deceived us owners that now I am going to have to lose out on everything that I have paid over the course of my loan and only get \$1,300 back for my troubles. I applaud everybody who has been involved in this for all of their hard work to get this far however, I feel that we should be able to access that extra 30% for people who owe more than their car is worth not for just the 2015 models. After all, the consumers are not the one who deceived anybody, it was the auto manufacturer. I thank you all very much for your time and Trust that a fair resolution will come for the consumers.

Sent from my Verizon 4G LTE smartphone

From: Chaan Beard
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 3:11:40 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Reference No. 90-5-2-1-11386

To: Assistant Attorney General, Environment and Natural Resources Division

This case has been unprecedented in terms of how rapidly it has progressed from where it is to where it now is at and as I write this, on the eve of Judge Breyers preliminary approval of the settlement, I am left with a rapid desire to see closure of this matter to a reasonable level of satisfaction for those of us classed as the victims of this whole unfortunate affair. I must congratulate all involved in this matter for the relatively unprecedented speed this is progressing at.

I have for some time now been involved in the technical deep dive with the University of Bern and various engineers within Volkswagen that led to the Swiss government itself banning all Diesel cars made by the Volkswagen Audi Group (VAG) of companies, based on the stark reality of the data gathered on the matter of diesel engine pollution.

This is because there is no real viable fix unless VAG spends in excess of \$54,000 per vehicle and also guarantees free replacement of parts in the engine and catalytic convertor systems et al during the working life of these diesel engines.

I will not bore you with the technical details, but suffice to say that in the light of the metamorphosis that each vehicle will undergo (to effect a fix), the resulting performance and experience will most certainly not be comparable or even near to that which I, as the owner of an Audi TDI currently enjoy, albeit at the cost of the proven pollution.

As such, I want to bring up an angle to this whole drama that actually needs more light and attention thrown on the matter from the perspective the of the Government agency that actually allowed this situation to be the reality we have experienced as victims of this scandal.

In my mind's eye, Volkswagen Audi Group are not the only ones that should bear blame in this affair and in fact the EPA itself, in my humble opinion are MORE at fault than VAG given that the events unfolded the way they did, factoring in the hilarious self-regulation aspect that many in the automotive manufacturing industry have grown accustomed to abusing as witnessed by this particular debacle as a proof in point.

I personally feel that the EPA itself should also contribute an equal compensation number to that already agreed by the court and VAG by way of deep federal incentives to replace these vehicles with electric powered vehicles, should the various owners so desire that option.

Currently, obtaining such an EV does not offer much incentive as many of us do not even qualify for the full \$7500 tax credit on these vehicles.

In this particular case I feel the EPA should directly compensate owners of these diesel vehicles with a credit equal to the VAG settlement number.

The EPA failed us the people and I want to know what remedy and relief those affected by this fact are to expect in this particular matter.

There are enough of us that are inclined to pursue a separate class action lawsuit against the EPA in this regard, but given this will in effect be the people vs the Government of the USA, a certain amount of pragmatic realism has to be baked in to the overall context as this could probably drag on for most of eternity.

However, please know and be cognizant of the fact that we the people affected by the EPA failing in this matter are not amused and something meaningful needs to be seen to be done in this regard to recognize the EPA failed the people in a spectacular manner.

I think further incentives for zero emission EV purchases is the road that the EPA needs to take for those impacted in this matter, as the changes the EPA has made does not satisfy their lack of admission of failing us by the changes that were made as a direct result of this scandal.

In short, it falls short of what the right thing to do should be.

I hope some group has been assembled to go into this aspect and that it will deliver more than the usual meaningless post facto rhetoric.

Regards

Chaan W Beard
[REDACTED]

From: Michael Beatty
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 9:18:51 PM
Subject: VW Settlement Opinion

My name is Michael Beatty and I have a 2009 VW Jetta Tdi, which was involved in the diesel scandal. This settlement is a good step to making it up to customers, but I'm not pleased by it. My car has about 170k miles on it. Which means I'll have to subtract a large amount of money to the buyback amount AND the cash amount. This is ridiculous. Having an old car in this deal should, if anything, be worth as much or more than the other cars. As opposed to the newer tdi models, my car has been driven way longer. This also means the 09' VW owners have been lied to for years and years longer than the rest. So the fact that being lied to LONGER is being held against us is simply illogical. This also means that our cars have been polluting the environment 40x over the legal limit thousands of more miles and more years than the newer cars. Again, the fact that an older year model and higher-mileage car gets less value is ridiculous. Now I understand that the older cars are worth less in the common market, but this settlement isn't about the actual worth of the car, this settlement is about VW earning back its owners from years of being lied to and manipulated. And I can tell you right now, I will never buy a VW again, ever. So several grand is not nearly enough to buy me back as a future customer.

-Michael Beatty

Sent from my iPhone

From: Val Beedell
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 8:03:41 PM
Subject: Vw settlement

To Whom it May Concern,

I would like to take this opportunity to address my concern with the recently announced Volkswagen TDI settlement offer.

First off this was not a rogue employee who was given a task by ownership they were not able to obtain and therefore created this cheat device to save their job. This was a calculated fraud committed against unsuspecting consumers that came from the highest level of VW. If I purchased a defective product, say from COSTCO, and took it back would they tell me "well you used this for 4 years so we're going to prorate what you paid for it and only give you part of your money back". No, they would give me the money I paid for it back.

I feel this situation and settlement offer has not only made me a victim once, but the U.S Government has made me a victim twice. Instead of the consumer being made whole by this calculated and purposeful fraud, myself and thousands of others including my brother, are being re-victimized again, and the Federal Government, who in fact realized no direct damages from this fraud are walking away with a substantial amount of my money and thousands of other people's money in their pocket while the victims are made much less then whole. My brother, for example, gets so little from this settlement he can't even afford to buy a decent used car without being saddled with a car loan he otherwise didn't have. My vehicle was also paid for and I too will be left with a car loan I can't afford to pay. My vehicle has the urea system in it and my guess is that these vehicles will be deemed to be fixable and VW will buy my car back for pennies on the dollar and turn around and flip it for several thousand more than they were required to pay me for it and walk away having paid no damages at all for their deception.

It was decided by someone to use NADA, (I'm sure VW) which provides the lowest vehicle appraisal values of any of the providers. Kelley Blue Book valued my vehicle in good condition at just under 17,000.00 before the scandal, whereas NADA is apparently valuing it at approx 13,500.00 to 15,000.00 depending on what amount someone decides to give me for my vehicle. So, all of a sudden that 5,800.00 to 6,000.00 in damages doesn't seem like so much because of the devalued price given to the vehicles below what Edmonds or Kelley Blue Book valued them before the scandal.

If I keep my car I can't license it unless I allow VW to alter it from what I originally purchased. If I'm able to fix my car it will leave me with a vehicle that is not what I paid for in either gas mileage or performance and will in fact potentially damage my vehicle based on the fix, which is why I assume an extended warranty is being offered and I'm being given 5800.00 which I guess I can use to buy a new engine. Let's just hope those that are trapped by this situation not of their own doing don't have their engine fail after the 18 months. If the technology existed to make my vehicle clean running as advertised then why did they cheat the system and commit fraud in the first place? So now I'm being asked to trust a company and the Federal Government, both of whom are apparently trying to take advantage of me and others, to fix my car without long term damage down the road. The only entity that is seemingly walking away from this with a smile on their face is the Federal Government. Again, the only party that wasn't directly damaged by VW.

I hope that this settlement is rejected. I urge you to do so. If not, I can only hope that many will take the option of continuing on with separate class action law suits against VW. That is the direction my brother will probably peruse as he is losing substantially more money than I am. I have yet to decide which option I will take. None of them look terribly appealing at this point. It's sad I live in a country that will allow a foreign company to commit fraud against it's citizens and the very Government I pay my taxes to, to protect us, will settle for anything less than total restitution and compound our pain by walking away with money in their pockets that should have gone to the true victims in this.

Thank you for you time,

Regretful VW owner
Valerie Beedell


2012 VW Passat TDI SE


Sent from my iPad

From: Justin Beltz
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 5:58:37 PM
Subject: Public Comment: VW Settlement -- Huge Flaw
Attachments: VW Settlement Issue - Eligible Sellers and New Owners of Their Vehicles v2.docx; VW Settlement Issue - Eligible Sellers and New Owners of Their Vehicles v2.pptx

Good afternoon,

below is a detailed public comment regarding a huge problem with the proposed settlement agreement. I've also attached a PowerPoint file that illustrates the concern, and a Word file with a copy of the text. Please confirm receipt of this message - I'd also like to be contacted to discuss the concern. My contact information is at the bottom of the message.

FLAW IN PROPOSED SETTLEMENT AGREEMENT **VW DIESEL MATTER**

The pending settlement for the VW diesel matter has received preliminary approval from the judge overseeing the case, but the settlement has a huge flaw that leaves some affected former-owners ("eligible sellers") out in the cold while providing a windfall to those who bought TDI vehicles on speculation at bargain prices. VW's manager of the customer claims phone line, Mr. Peter Nardone, acknowledged that they are doing so, commenting that "nobody forced those owners to sell," and that speculative buyers "made a smart purchase." VW is shifting blame for their misconduct to the owners who were affected by their fraud and sold their vehicles post-scandal, and there is no reasonable basis for transferring compensation for the real economic harm suffered by eligible sellers to the new owners of their vehicles. This aspect of the settlement must be adjusted -- as currently structured the settlement inadequately compensates the eligible sellers and provides far too much compensation to new owners who purchased these vehicles at prices just over one-half the buyback amount offered to them under the settlement. The settlement should compensate the affected parties to the extent that VW's fraud affected them, not arbitrarily provide a truckload of cash to speculative buyers.

THE KEY FLAW IN THE SETTLEMENT

The key flaw in the settlement agreement is that the vast majority of compensation is tied to who currently has ownership of the affected vehicle, not who was actually affected by the selling practices and the depreciation resulting from VW's fraud. While buyback/fix of the vehicles is a key goal for the settlement, it should not come at the expense of compensating eligible sellers for the actual loss they suffered.

Under the agreement, individuals like me who owned the vehicle before Sep 2015, but sold between September 2015 and June 2016 are referred to as "eligible sellers." I will use a 2014 Passat TDI SE with approx. 20k miles to illustrate how problematic the settlement is for this group. For reference, **the pre-scandal value of the subject vehicle was \$22,750**. The data below comes from the official VW claims portal, with the actual values offered through the site for the same vehicle under different circumstances (screenshots available if needed).

An original owner (pre-September 2015) who still owns a 2014 Passat would receive \$30,286.73 for a buyback under the settlement (\$22,750 of pre scandal vehicle value + \$7,518.73 owner restitution) -- this is higher than the original MSRP of the vehicle when new. This reflects the extent of the harm caused by VW to these owners.

An eligible seller, who sold their affected vehicle between September 2015 and June 2016 (at market values of approximately \$15k – over \$7k less than the pre-scandal values due to VW's fraud), receives only \$3,570.87. If you add this to the market value selling price of approximately \$15k, these individuals receive \$18,570.87 for their vehicles (\$11,715.86 less than someone who still owns the vehicle just a few months later). The harm caused to this "eligible seller" and an owner who still has title to the vehicle is essentially identical, yet there is a huge difference in compensation received. It is absolutely improper that an owner who suffered real economic loss due to VW's misconduct should lose out on nearly \$12k of compensation because they sold their vehicle before the settlement was announced.

In comparison, the new owner of the vehicle (who bought the car for approximately \$15k-16k) will receive \$26,518.37 for a buyback (\$22,750 pre-scandal value + \$3,768.73 owner restitution). The depressed prices in the market during the period of purchase reflect the fact that VW's fraud and the associated emissions problems were public knowledge – it was already priced into the vehicles, and the economic harm represented by these depressed prices was suffered by the eligible seller associated with the vehicle. The new owner receives the full ~\$15k purchase price they paid for the vehicle plus an additional \$11,700 on top of it. There does not seem to be any rationale for offering such a large sum of money (ostensibly intended to ensure buyback recipients do not suffer the depreciation of their vehicles since September 2015) to a new owner who purchased the vehicle at post-scandal prices.

This is yet another slight from VW to those affected by their actions, and does not fairly compensate those they harmed with their fraud. The harm that eligible sellers (like me) suffered was not lessened when we sold our vehicles. On the contrary – the sale of the affected vehicle only realized the depreciation that was caused by VW's deception. Our fair compensation should not transfer with the title of the vehicle. The settlement needs to first and foremost compensate those who owned the vehicles before and during the breaking of the scandal. One could argue, "No one forced you to sell your vehicle." While that is true, that kind of victim-blaming approach is inappropriate and ignores the principle that the party at fault (VW) should bear responsibility for the fraud, while the party affected by the fraud (the owner at the time of the scandal breaking) should be compensated for it. Being fairly compensated for the harm VW did to you should not be contingent on continued ownership of their product. Personally, I sold my vehicle for a combination of reasons: 1) I had grown so frustrated with the lack of information provided by VW despite repeated and ongoing attempts over 7 months to learn what they would do to rectify the situation, and 2) I feared that if VW drug this out in the courts and a buyback was not offered, there would be a flood of owners selling their affected vehicles, further depressing selling prices. I thought "surely if a settlement is reached, the fact that I am selling this vehicle 7 months after VW's fraud was brought to light would not affect my ability to be fairly compensated." My actions did not change how VW's fraud affected me financially, and should not diminish the compensation owed (or have it be transferred to someone else).

The fundamental problem with how the current settlement structure addresses these new owners is that the buyback values offered to them address the harm of depreciation and other issues (false advertising, etc) suffered by a different party -- the "eligible seller." There are 2 primary ways this flaw is manifested - 1) it compensates the current owner for depreciation suffered by the eligible seller in the form of the pre-scandal value being offered only in exchange for the vehicle, and 2) it improperly splits the owner restitution between the owner at the time of the scandal and the new owner (the owner at the time of the scandal was the primary victim – these issues were "priced in" to the price of the vehicles after September 2015).

An alternative approach to correct this improper situation can be implemented without changing the total amount of compensation paid out by VW per vehicle. This approach would add an additional step to the existing calculation for these situations where the vehicle has changed hands, with the goal of appropriately address the reality of the harm caused by the situation. It should provide the "eligible seller" the full buyback value offered to those who still own the vehicles, less the actual selling

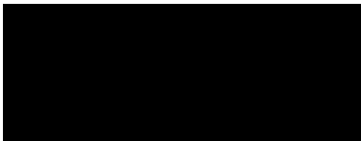
price of the vehicle (if documentation of selling price is not available, or for simplicity of calculation, it can be substituted by the KBB value on date of the sale). This would provide equitable compensation to eligible sellers as compared to those who still own their vehicle, and also account for the actual market conditions under which the vehicle was sold. Then, the new owner would receive a buyback at their full purchase price -- fully compensating the owner for the price they paid for the vehicle but not improperly compensating them for depreciation or deception suffered by the "eligible seller." This new owner would have the benefit of having used of that vehicle for some period of time at no cost to them, then be fully compensated for purchase price.

While the alternative proposed above most fairly compensates those who were harmed by VW's fraud, there may be concerns that buyback at purchase price may not be enough of an incentive for new owners to trade in their vehicle. I strongly disagree. The calculation for buyback value is based on the principle that a party should be reimbursed the price of the vehicle before it was affected by VW's fraud. For owners who owned the vehicle in September 2015, it makes sense that this value is calculated at pre-scandal values -- this was the value of their vehicle prior to VW's fraud driving down the value in the market. However, at no point was it reasonable for a new owner to expect that their vehicles were worth more than at the time of purchase. Therefore, offering these new owners a buyback value based upon the market value of their vehicles when purchased is consistent with the intent of the settlement. In the event that a technical fix is developed that acceptably corrects the emissions issues, these new owners may choose to receive the fix and be provided with the full owner restitution amount. When combined with the compensation provided to the eligible seller under my alternative approach, the total compensation associated with the affected vehicle would still be less than the full buyback value offered to an original owner.

Lastly, while I believe the alternative above is the fairest solution, there are many other approaches that would more equitably split available compensation between the eligible seller and the new owner of their vehicle. Perhaps simplest would be to provide the full owner restitution amount to the eligible seller, and offer a buyback to the new owner at September 2015 values (providing a very strong incentive to accept the buyback, at a \$7-8k premium above the price the new owner paid for the vehicle). There is still substantial unfairness in this approach, but it is less unfair as compared to the distribution of compensation in the current settlement agreement.

I'm happy to discuss the situation and provide any other details that may be needed to address this problem in the settlement.

Justin Beltz



FLAW IN PROPOSED SETTLEMENT AGREEMENT
VW DIESEL MATTER

The pending settlement for the VW diesel matter has received preliminary approval from the judge overseeing the case, but the settlement has a huge flaw that leaves some affected former-owners ("eligible sellers") out in the cold while providing a windfall to those who bought TDI vehicles on speculation at bargain prices. VW's manager of the customer claims phone line, Mr. Peter Nardone, acknowledged that they are doing so, commenting that "nobody forced those owners to sell," and that speculative buyers "made a smart purchase." VW is shifting blame for their misconduct to the owners who were affected by their fraud, and there is no reasonable basis for transferring compensation for the real economic harm suffered by eligible sellers to the new owners of their vehicles. This aspect of the settlement must be adjusted -- as currently structured the settlement inadequately compensates the eligible sellers and provides far too much compensation to new owners who purchased these vehicles at prices just over one half the amount offered to them under the settlement. The settlement should compensate the affected parties to the extent that VW's fraud affected them, not arbitrarily provide a truckload of cash to speculative buyers.

THE KEY FLAW IN THE SETTLEMENT

The key flaw in the settlement agreement is that the vast majority of compensation is tied to who currently has ownership of the affected vehicle, not who was actually affected by the selling practices and the depreciation resulting from VW's fraud. While buyback/fix of the vehicles is a key goal for the settlement, it should not come at the expense of compensating eligible sellers for the actual loss they suffered.

Under the agreement, individuals like me who owned the vehicle before Sep 2015, but sold between September 2015 and June 2016 are referred to as "eligible sellers." I will use a 2014 Passat TDI SE with approx. 20k miles to illustrate how problematic the settlement is for this group. For reference, **the pre-scandal value of the subject vehicle was \$22,750**. The data below comes from the official VW claims portal, with the actual values offered through the site for the same vehicle under different circumstances (screenshots available if needed).

An original owner (pre-September 2015) who still owns a 2014 Passat would receive \$30,286.73 for a buyback under the settlement (\$22,750 of pre scandal vehicle value + \$7,518.73 owner restitution) -- this is higher than the original MSRP of the vehicle when new. This reflects the extent of the harm caused by VW to these owners.

An eligible seller , who sold their affected vehicle between September 2015 and June 2016 (at market values of approximately \$15k – over \$7k less than the pre-scandal values due to VW's fraud), receives only \$3,570.87. If you add this to the market value selling price of approximately \$15k, these individuals receive \$18,570.87 for their vehicles (\$11,715.86 less than someone who still owns the vehicle just a few months later). The harm caused to this "eligible seller" and an owner who still has title to the vehicle is essentially identical, yet there is

a huge difference in compensation received. It is absolutely improper that an owner who suffered real economic loss due to VW's misconduct should lose out on nearly \$12k of compensation because they sold their vehicle before the settlement was announced.

In comparison, **the new owner of the vehicle (who bought the car for approximately \$15k-16k) will receive \$26,518.37** for a buyback (\$22,750 pre-scandal value + \$3,768.73 owner restitution). The depressed prices in the market during the period of purchase reflect the fact that VW's fraud and the associated emissions problems were public knowledge – it was already priced into the vehicles, and the economic harm represented by these depressed prices was suffered by the eligible seller associated with the vehicle. The new owner receives the full ~\$15k purchase price they paid for the vehicle plus an additional \$11,700 on top of it. There does not seem to be any rationale for offering such a large sum of money (ostensibly intended to ensure buyback recipients do not suffer the depreciation of their vehicles since September 2015) to a new owner who purchased the vehicle at post-scandal prices.

This is yet another slight from VW to those affected by their actions, and does not fairly compensate those they harmed with their fraud. The harm that eligible sellers (like me) suffered was not lessened when we sold our vehicles. On the contrary – the sale of the affected vehicle only realized the depreciation that was caused by VW's deception. Our fair compensation should not transfer with the title of the vehicle. The settlement needs to first and foremost compensate those who owned the vehicles before and during the breaking of the scandal. One could argue, "No one forced you to sell your vehicle." While that is true, that kind of victim-blaming approach is inappropriate and ignores the principle that the party at fault (VW) should bear responsibility for the fraud, while the party affected by the fraud (the owner at the time of the scandal breaking) should be compensated for it. Being fairly compensated for the harm VW did to you should not be contingent on continued ownership of their product. Personally, I sold my vehicle for a combination of reasons: 1) I had grown so frustrated with the lack of information provided by VW despite repeated and ongoing attempts over 7 months to learn what they would do to rectify the situation, and 2) I feared that if VW dragged this out in the courts and a buyback was not offered, there would be a flood of owners selling their affected vehicles, further depressing selling prices. I thought "surely if a settlement is reached, the fact that I am selling this vehicle 7 months after VW's fraud was brought to light would not affect my ability to be fairly compensated." My actions did not change how VW's fraud affected me financially, and should not diminish the compensation owed (or have it be transferred to someone else).

The fundamental problem with how the current settlement structure addresses these new owners is that the buyback values offered to them address the harm of depreciation and other issues (false advertising, etc) suffered by a different party – the "eligible seller." There are 2 primary ways this flaw is manifested - 1) it compensates the current owner for depreciation suffered by the eligible seller in the form of the pre-scandal value being offered only in exchange for the vehicle, and 2) it improperly splits the owner restitution between the owner at the time of the scandal and the new owner (the owner at the time of the scandal was the

primary victim – these issues were “priced in” to the price of the vehicles after September 2015).

An alternative approach to correct this improper situation can be implemented

without changing the total amount of compensation paid out by VW per vehicle. This

approach would add an additional step to the existing calculation for these situations where the vehicle has changed hands, with the goal of appropriately address the reality of the harm caused by the situation. It should provide the "eligible seller" the full buyback value offered to those who still own the vehicles, less the actual selling price of the vehicle (if documentation of selling price is not available, or for simplicity of calculation, it can be substituted by the KBB value on date of the sale). This would provide equitable compensation to eligible sellers as compared to those who still own their vehicle, and also account for the actual market conditions under which the vehicle was sold. Then, the new owner would receive a buyback at their full purchase price -- fully compensating the owner for the price they paid for the vehicle but not improperly compensating them for depreciation or deception suffered by the "eligible seller." This new owner would have the benefit of having used of that vehicle for some period of time at no cost to them, then be fully compensated for purchase price.

While the alternative proposed above most fairly compensates those who were harmed by VW's fraud, there may be concerns that buyback at purchase price may not be enough of an incentive for new owners to trade in their vehicle. I strongly disagree. The calculation for buyback value is based on the principle that a party should be reimbursed the price of the vehicle before it was affected by VW's fraud. For owners who owned the vehicle in September 2015, it makes sense that this value is calculated at pre-scandal values – this was the value of their vehicle prior to VW's fraud driving down the value in the market. However, at no point was it reasonable for a new owner to expect that their vehicles were worth more than at the time of purchase. Therefore, offering these new owners a buyback value based upon the market value of their vehicles when purchased is consistent with the intent of the settlement. In the event that a technical fix is developed that acceptably corrects the emissions issues, these new owners may choose to receive the fix and be provided with the full owner restitution amount. When combined with the compensation provided to the eligible seller under my alternative approach, the total compensation associated with the affected vehicle would still be less than the full buyback value offered to an original owner.

Lastly, while I believe the alternative above is the fairest solution, there are many other approaches that would more equitably split available compensation between the eligible seller and the new owner of their vehicle. Perhaps simplest would be to provide the full owner restitution amount to the eligible seller, and offer a buyback to the new owner at September 2015 values (providing a very strong incentive to accept the buyback, at a \$7-8k premium above the price the new owner paid for the vehicle). There is still substantial unfairness in this approach, but it is less unfair as compared to the distribution of compensation in the current settlement agreement.

I'm happy to discuss the situation and provide any other details that may be needed to address this problem in the settlement.

Justin Beltz



v2

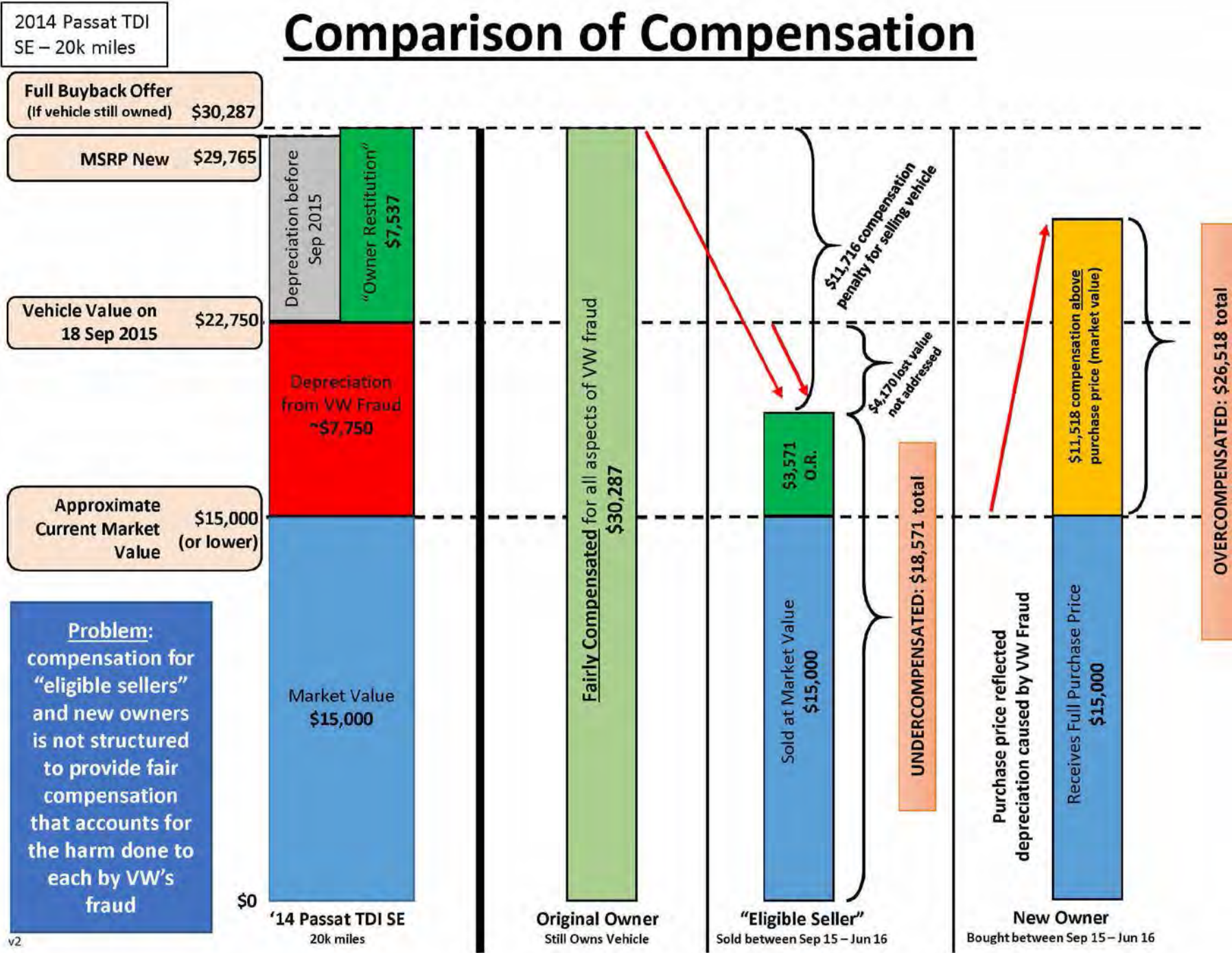
THIS PRESENTATION WAS PREPARED TO ILLUSTRATE THE IMPROPER AND UNBALANCED COMPENSATION AFFORDED TO “ELIGIBLE SELLERS” AND ELIGIBLE NEW OWNERS OF THEIR VEHICLES IN THE PROPOSED SETTLEMENT AGREEMENT THAT RECEIVED PRELIMINARY APPROVAL IN JULY 2016 – THE SETTLEMENT MECHANICS APPLYING TO THESE PARTIES MUST BE ALTERED IF THEY ARE TO FAIRLY COMPENSATE PARTIES ACCORDING TO THE HARM THEY RECEIVED FROM VW’S FRAUD

A 2014 PASSAT TDI SE WITH 20,000 MILES IS USED AS A BASIS FOR COMPARISON, BUT THE RESULTS ARE SIMILAR WITH OTHER MAKES/MODELS/YEARS

PLEASE CONTACT MR. JUSTIN BELTZ [REDACTED]

[REDACTED] WITH ANY QUESTIONS OR FOR FURTHER DISCUSSION

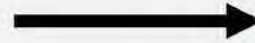
Comparison of Compensation



v2

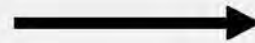
Implications:

VW commits mass fraud, causing direct economic harm of \$7,750+ to “eligible seller”



Minor restitution to victim: required to provide only \$3,571 compensation (<1/2 actual depreciation) to party directly affected

Eligible seller (victim of VW fraud) sells vehicle at market value – should not affect right to be made whole



Effective penalty of \$11,716 (>3 times VW’s liability to eligible seller);
Undercompensated

New owner purchases vehicle at strongly depressed price (\$~15k) resulting from VW fraud) – some bought on speculation



Overcompensated: full \$15k purchase price + additional \$11.5k (total: 177% purchase price) – what is justification for transferring compensation for economic harm suffered by eligible seller?

CONCLUSION: SETTLEMENT IMPROPERLY DISTRIBUTES THE COMPENSATION ASSOCIATED WITH VEHICLES THAT HAVE CHANGED OWNERS SINCE SEP 2015

DRAMATICALLY UNDERCOMPENSATES ELIGIBLE SELLERS, DRAMATICALLY OVERCOMPENSATES NEW OWNERS OF THOSE VEHICLES

Goals of Settlement:

<u>Goal</u>	<u>Status</u>
<p>Compensate everyone (appropriately) who owned or leased an affected vehicle</p>	<p>Currently, settlement doesn't adequately compensating "eligible sellers" – covers only half of actual loss of vehicle value due to VW fraud, does not address other harms</p>
<p>Encourage buyback (or fix, if developed and approved) of affected vehicles to "get them off the road"</p>	<p>Currently, settlement provides much more compensation than is necessary to incentive new owners to choose a buyback (at the direct expense of properly compensating eligible sellers for their actual loss)</p>

The need to get affected vehicles off the road should not cause eligible sellers to forego fair compensation for the economic harm they suffered (at minimum the lost value of their vehicles)

Achieving BOTH goals is possible

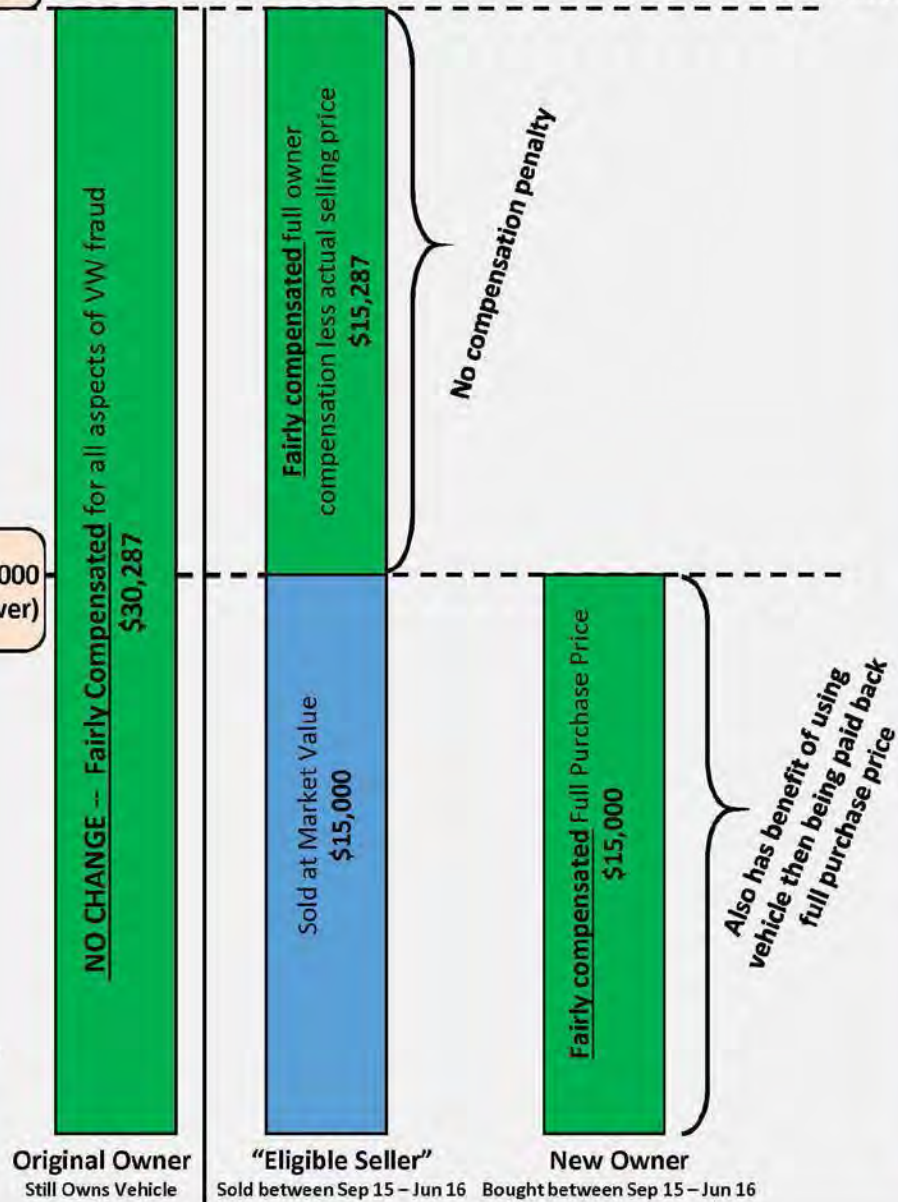
2014 Passat TDI
SE – 20k miles

Alternative Solution #1:

- Eligible seller receives full compensation value less selling price
- New owner receives full price paid for vehicle

Full Buyback Offer
(If vehicle still owned) **\$30,287**

Approximate Current Market Value
\$15,000 (or lower)

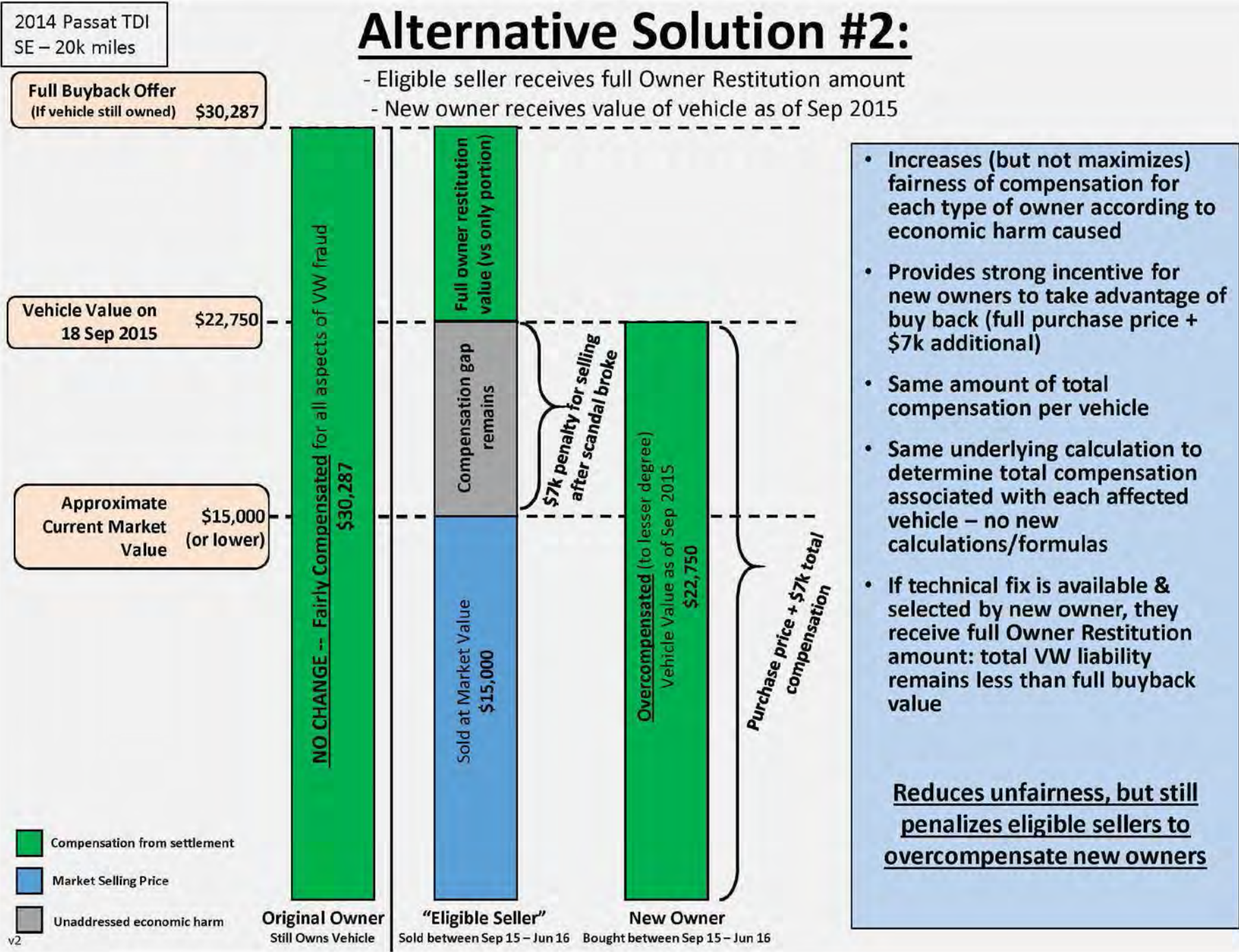


- Fairly compensates each type of owner according to actual economic harm suffered
 - Retains incentive for new owners to take advantage of buy back – offered full purchase price for vehicle after 5-13 months of use
 - Same amount of total compensation per vehicle
 - Same underlying calculation to determine total compensation associated with each affected vehicle – only adds additional step to determine how it is distributed
 - Only for small number of vehicles that have changed ownership since Sep 2015
 - In case documentation of actual selling price not available (or for simplicity), use KBB value on date of sale
 - If technical fix is available & selected by new owner, they receive full Owner Restitution amount: total VW liability remains less than full buyback value
- Most equitable solution to address harms caused to each party**

■ Compensation from settlement
■ Market Selling Price

Alternative Solution #2:

- Eligible seller receives full Owner Restitution amount
- New owner receives value of vehicle as of Sep 2015



- Increases (but not maximizes) fairness of compensation for each type of owner according to economic harm caused
 - Provides strong incentive for new owners to take advantage of buy back (full purchase price + \$7k additional)
 - Same amount of total compensation per vehicle
 - Same underlying calculation to determine total compensation associated with each affected vehicle – no new calculations/formulas
 - If technical fix is available & selected by new owner, they receive full Owner Restitution amount: total VW liability remains less than full buyback value
- Reduces unfairness, but still penalizes eligible sellers to overcompensate new owners**

v2

From: Joan Bennett
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 12:11:00 PM
Subject: Comments on VW diesel settlement

I am one of the owners of these cheating diesels, and I am not completely satisfied with the proposed settlement. With regards to the buybacks that will be offered, I think that VW should be paying us the pre-scandal NADA retail value for our cars, not the trade-in value.

One reason that I think it is unfair to pay us the trade-in value is because when we take that cash and go to buy a new car, we will have to pay sales tax on the full purchase price of the new car rather than the difference between the trade-in and the full price. For example, in [REDACTED] where I live, our sales tax rate on a new car is approximately 8.3%. If VW gives me \$15,000 cash and I use it towards the \$35,000 price of a new car, I will have to pay sales tax on the full \$35,000, which will be just over \$2,900. If I had traded that car in for \$15,000 I would only have to pay about \$1,600 in taxes. That is a \$1,300 difference in the tax consequences alone. And that is for one of the older VW's in this settlement; a newer one would have a much larger tax penalty.

In addition to the above, not everyone would have traded their car in, but rather may have sold it at retail. The difference between trade-in price and average retail price is often in the \$3,000 - \$5,000 range. But we are being asked to sell our cars back to VW at the discounted trade-in price. We are not the ones that cheated, and we shouldn't be asked to lose the pre-scandal retail value of our vehicles.

Thank you,
Joan Bennett

From: Peter Bianco
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 9:08:24 AM
Subject: Comment on VW Diesel emissions settlement

To Whom It May Concern,

I am an owner of a 2013 VW Passat TDI SE and is included in the settlement agreement. I am the single owner of the car and bought it in February 2013.

I have researched what my potential claim would be according to the VW claims website. In general, the amount I would be eligible to receive from a buy back would be approximately \$ 24,000 including the value of the buy back and \$ 6500 of punitive damages. However, I am disappointed by the settlement in that I still owe \$ 11,000 to VW finance for the car. The proposed claim offer from VW would deduct that amount from the total settlement.

Also, the buy back value of the car I believe was calculated with a mileage discount calculated into the offered value. It is not clear to me if that figure was one based on the estimated mileage of the car of that age at the time the scandal broke in September of 2015, or the total mileage that exists on the car today. I feel that the mileage discount should be calculated based on the age of the car at the time the scandal broke in 2015.

I feel that considering the severity of the fraud committed, that I am entitled to the full \$ 24,000 and that the \$ 11,000 loan balance should be forgiven. That \$11,000 deduction would only provide \$ 13,000 for me to buy another car. This would not provide enough capital to replace the car with one of equal value and features as the Diesel Passat I currently own. If VW's goal is to make me whole again, this falls short.

Further, my plan was to use the full amount (less the loan amount owed) to purchase another gas powered VW of equal or greater value to the car I currently own and was fraudulently sold on. I am a loyal VW owner and have owned multiple VW cars over my lifetime. My sincerest desire is to continue owning VW cars but this current settlement offer turns me off of and prices me out of ever owning another VW car again.

Regards,

Peter T. Bianco



Sent from my iPad

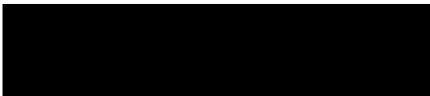
From: dbias
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 5:41:59 PM
Subject: Proposed VW settlement

I bought a brand new 2015 VW Passat TDI with sunroof on 3/15/15. Although the final figures are not out yet on the 2015 I feel as though any book value for a new car will put me in an undesirable situation.

When the car was sold to me, both VW and the EPA new there was something wrong with the car. Additionally being treated as a buyback and having to go buy another vehicle will essentially mean I will be paying full 5 percent sales tax on two \$30k vehicles in back to back years.

I feel purchase price plus additional compensation for the taxes etc and the major inconvenience of financing two vehicles in less than three years, when I normal keep a vehicle around 8 years, is only a place to start.

David Bias



Sent via the Samsung Galaxy Note5, an AT&T 4G LTE smartphone

From: Josh Blake
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 6:08:48 PM
Subject: Calculating Mileage

The proposed settlement is based on driving my car 1042 miles per month. That is much less than we actually drive it. We bought the tdi because my wife commutes long distances for work. We put at least 2000 miles on the car per month. We purchased the car in December of 2015 with 39,000 miles on it. It now has almost 55,000. If VW is going to deduct value from the car based on mileage, it should be calculated on how many miles we actually put on the car since we have owned it. The mileage adjustment should be based on my 39,000 miles. Currently the mileage adjustment will value my car at about 48,000 miles. It will be even higher when the buy back takes place.

Thank You,

Josh Blake

From: Jason Blondin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 11:03:28 PM
Subject: 2015 TDI Recall Comment

To whom it may concern,

I feel the current proposed VW settlement does not meet the intent of the judge. It has been stated in the records that VW should reimburse vehicle owners for their vehicles at "retail" value at the time of the scandal break plus additional compensation. I purchased my car new, 2 weeks prior to scandal break. The vehicle plunged in value, and i got multiple quotes to buy the vehicle back from dealerships at roughly 50% to 60% off retail. I also was informed that the vehicle was only insured to the new market replacement value. My liability on the vehicle sky rocketed. I have not been able to safely insure my vehicle for monies paid, so I have garaged the vehicle awaiting a buyback. Now to be offered "trade" in value is a low ball offer. I do not want to "trade" the vehicle in. Trade is a position of power for the dealer, not the seller. VW owners should be compensated for retail value at a minimum. I also feel that for folks like me who only drove the car for a few weeks prior the the scandal should be offered to buy back the cars much closer to retail minus a mileage adjustment. Not only does the vehicle not meet epa standards, it is now a rolling liability for any owner. In order to be made whole we should be paid purchase price minus some use then add a penalty fee on top if that is justified. The current calculation method is flawed.

Thank you,

Jason Blondin


From: Joshua Bloom
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 2:44:09 PM
Subject: VW "Clean Diesel" case -- comment on proposed settlement

Dear Assistant Attorney General:

I own a 2014 VW diesel Sportwagen affected by the proposed settlement.

I just want to say that, from what I've read, the settlement seems generous and fair. I particularly appreciate Judge Breyer's moving this case to a swift resolution.

Thank you.

Joshua Bloom
Philadelphia, PA

Joshua Bloom

From: Bodkin, Patrick
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:35:03 PM
Subject: VW Diesel Settlement Public Comment

To whom this may concern:

As a person who purchased and owned two (2) consecutive 2010 VW TDI vehicles, it is my opinion that the proposed settlement does not provide adequate compensation for the fraud that was committed against me. My personal situation is as follows:

1. I purchased my 1st 2010 off a New Jersey VW Dealers Lot in September 2009 (Vin [REDACTED]). The purchase price for this new vehicle was approximately \$30,000 at the time. Financing was provided by the Volkswagen Financial Subsidiary.
2. I drove the above vehicle for 15 months and traded it in on another new 2010 VW Jetta TDI off a dealers lot in Baton Rouge (LA) when the 1st vehicle had approximately 40,000 miles on it. The new 2010 Jetta TDI also had a sticker price of approximately \$30,000 (Vin [REDACTED]). This is the vehicle that I presently own. This second transaction was also financed by Volkswagen's Financial Subsidiary. This car load note was paid off in the Spring of 2015.

It is my opinion that additional compensate should be awarded to me based on the following facts"

- I was deceived by VW's fraudulent marketing tactics for "Clean Diesels" not just once, but twice with two purchases in the 2009 – 2010 period. The proposed settlement does not reflect this double deception.
- I paid significant interest charges to VW's Financial Subsidiary from 2009 – 2015 to finance these fraudulent transactions. Volkswagen's financial subsidiary directly profited from the fraud that was perpetrated against me in each case. Based on this fact I believe that all interest that I paid to VW to finance these transaction should be reimbursed to me with an additional amount as a penalty to VW Finance.

Thank you for the opportunity to share this information with you.

Please contact me if you have any questions.

Patrick M. Bodkin
[REDACTED]

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From: Greg Bonebrake
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 2:13:44 PM
Subject: VW Diesel Public Comment

To Whom it Concerns -

As an owner of an affected TDI, I would like to comment on the proposed settlement.

In my home state of [REDACTED], we are required to pay sales tax on vehicle purchases when licensing that vehicle. When trading in a vehicle toward purchase of a new vehicle, the tax calculation is based on purchase price minus trade-in value. I do not intend to purchase another vehicle from VW, so if I accept a buyback, my purchase of a replacement vehicle will require me to pay sales tax on a greater amount than if I had traded in my TDI.

I would suggest that the buyback either include the amount of any sales tax on the original purchase, that the buyback address this concern in some other way.

Thank you for your consideration.

From: Michelle Bonebrake
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 1:45:30 PM
Subject: VW Diesel Public Comment

To Whom it Concerns:

As an owner of one of the affected models of TDI Jettas, I would like to make a comment on the proposed settlement.

It came to our attention that one detail of the settlement provides loan buyouts for those who would be upside-down on their vehicle loans under the proposed settlement. This, in effect, makes them more than whole compared to owners such as us who made responsible decisions and whose remaining loan balance will be removed from our settlement.

It is unfair for one class of people who did not have enough down payment or otherwise mismanaged their purchases to be given what is essentially free money due to loan buyouts while denying those of us with smaller balances the same. I would propose either that all remaining balances be paid or no remaining balances be paid and the amount of owner compensation be adjusted upward accordingly across the board using the amount saved by refusing loan buyouts for those upside-down in their vehicle loans.

Thank you for your consideration.

Michelle Bonebrake

From: Dale Borja
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]
Sent: 7/9/2016 3:36:49 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

To Whom This May Concern,

We are a lessee of an affected 2014 VW Passat TDI SE. At the time that we leased the car, we intended to return it after the lease period. However, after several months, we decided that we liked the performance and fuel economy as well as the advertised "clean diesel" emission so it became our commute car. Our new intent was to purchase the car as the lease term expires. Consequently, we exceeded the contract mileage.

With the new information that the car really does not have clean diesel emissions and that an accepted fix does not yet exist (I just read the article about the Italian tests that the software fix actually made emissions worse) and that any fix will likely degrade performance and mileage, we are deciding that we would like to terminate our lease. We will likely not find a substitute car with equal fuel economy but, at least, it will not have unknown reliability such as our Passat if a fix were developed and installed. If there was truly a software fix for our Passat's model year, why was it not installed to start with? This leads us to believe that there are technical issues that would have affected fuel economy, performance and reliability so the fix was not implemented.

The problem we now have is that we're caught in the middle: although the lease may be terminated early under the proposed settlement, we are liable for the excess mileage. As I stated earlier, we exceeded the mileage because, in good faith, we decided we were going to ultimately purchase the car so we made it our daily commuter. We feel that the excess mileage allowance in the settlement should be removed. After all, even if VW is able to correct the problem, the affected cars cannot truly be called "pre-owned" for the purpose of reselling since they are technically no longer the same cars from the previous owners/lessees and will VW be allowed/able to resell the cars?

Please remove the excess mileage allowance in the settlement.

Thank you very much for your attention and consideration,
Dale Borja

[REDACTED]

From: Botson, Jonathan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 2:11:41 PM
Subject: VW settlement

Good morning-

I wanted to voice my opinion over the proposed settlement for VW diesel owners. After registering my car on the website to calculate my buyback amount, I was shocked to see that of the amount that I was getting back as part of the settlement (\$18,916), \$14,213 was to be paid back to the lender, which in my case is Volkswagen Credit, Inc. I find this preposterous that VW technically are getting the full amount for the vehicle back into their pockets. Where is the fairness in this? I wind up with a restitution payment of about \$4,700 which essentially will give me a down payment for a new car. After making payments for my VW diesel to them for the last 3 years, they essentially are getting the rest of the money owed on this vehicle and I am stuck having to finance another vehicle for 5-6 years with the measly \$4700 I am getting for my vehicle? There is nothing fair about this settlement at all. VW should be forced to forgive remaining balances on the loans so consumers can pocket entire settlement to use on buying a new vehicles. At this rate, I might as well keep the vehicle and pocket the \$4700, though living in [REDACTED], there is not guarantee that the fix on my vehicle will be approved to meet [REDACTED]'s strict air quality standards. I hope the FTC continues to fight to make VW forgive the loans on these vehicles. This is the only fair thing to do to make up for the false advertising of being a clean diesel!
Thank you for your time!

Jonathan Botson, MSW

[REDACTED]
Department of Health and Human Services
HHS Health Clinics

[REDACTED]
Email Disclaimer: <http://www.marincounty.org/main/disclaimers>

From: Dustin Bowden
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 12:02:42 PM
Subject: VW settlement

Assistant Attorney General
US Department of Justice

I have one major issue with the buyback category of the VW settlement. Newer cars, 3 years old or newer, should also receive a separate payment to reimburse the owners for sales tax, document fees, title and registration fees. I just spend \$3,000 in these fees and under the current terms I will have to turn around and respend them again on a different vehicle. This will be a loss for the owners of the newer vehicles. Based on what VW did they should at a minimum cover these repeat costs. Otherwise the owners are spending their own money to covers these costs which would be improper.

Dustin D Bowden

From: Valerie DeGiovanni Bowden
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:14:14 AM
Subject: VW settlement

Assistant Attorney General
US Department of Justice

I have one major issue with the buyback category of the VW settlement. Newer cars, 3 years old or newer, should also receive a separate payment to reimburse the owners for sales tax, document fees, title and registration fees. I just spend \$3,000 in these fees and under the current terms I will have to turn around and respend them again on a different vehicle. This will be a loss for the owners of the newer vehicles. Based on what VW did they should at a minimum cover these repeat costs. Otherwise the owners are spending their own money to covers these costs which would be improper.

Valerie DeGiovanni Bowden
Sent from Yahoo Mail on Android

From: Darrell
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 7:56:33 PM
Subject: Public comment ww

I own a 2013 Jetta TDI sedan. I plan on returning it to Volkswagen as a buyback. In order to make us whole again, I feel that our cars should be valued at the private party level instead of the clean trade level. It's only fair to the consumers.

Sincerely Darrell R Bowling

Sincerely Darrell R Bowling

From: Brett Bridgham
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/23/2016 1:38:05 PM
Subject: Pre-scandal odometer calculation

It is my understanding from the settlement documents that the adjusted mileage will be calculated based on a back-calculation using a fixed "normal usage" value of 12,500 miles per year. It seems that There should be an alternative to use the actual odometer reading (verified by service records) to establish the adjusted odometer mileage.

Best Regards,
Brett Bridgham
2011 Jetta TDI Owner

From: Jeanne
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 5:15:10 PM
Subject: 2012 VW Passat TDI sticker price

I am the original owner of a 2012 VW Passat TDI SE W/ Sunroof & Nav. Vin # [REDACTED]. After reviewing the prelim. info for the buy back, I noticed that only the Sunroof and Navigation was assigned a dollar value. My Window sticker indicates that I paid \$375.00 for a Lip Spoiler and \$235.00 for Monster mats (set of 4) and Heavy duty trunk liner. I also paid \$35.00 for a First Aid kit. These three items add up to \$645.00. These items are on the window sticker printed just like the rest of the items. It does not appear that these were dealer installed items, but installed at the Factory. Did the Court and VW take these items into consideration to reimburse the consumer? Thank you for all your efforts in helping us.

Bob Brill

[REDACTED]

From: Lonnie brodie
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 2:44:36 PM
Subject: TDI Owner

V.W. defrauded me at the time of purchase, and the amount did not depreciate over time or mileage, and V.W. should have to do a buy-back at the purchase price. All of those talking heads just negotiated away all of the justice due to the TDI owners. They allowed some rating service to find some depreciated value, and now each owner will have to spend thousands to replace a car that they did not want to sell at all. This is the only true justice for the owners and also for V.W.

Lonnie Brodie

An unhappy owner

From: Ainslie Brown
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 2:29:25 PM
Subject: Comment on VW Diesel Emissions Settlement

I will accept Volkswagen's offer to buy back my 2009 Jetta TDI because it is the best deal I can get under the circumstances. But despite the "generous" offer mandated by the court, I will still incur a considerable financial loss as stated below:

- Since I was one of the first Jetta TDI buyers at Cherry Hill Volkswagen in August 2008, I was charged a \$1,500 premium because the car was in high demand and only a few were available. This was in addition to the premium charged for a diesel engine.
- My repair bills have been excessive. I planned to trade in my Jetta right before it hit 100,000 miles because I could not afford high repair bills. That would have been around November or December 2015. Right after the scandal broke, I decided I wanted to be rid of the car immediately. I attempted to trade it in on a gas powered Passat at Hamilton VW, where I usually have my car serviced; however, I was offered \$2,000 below wholesale. Because that figure would not have come close to paying off my loan balance, I was unable and unwilling to complete the transaction. I also tried to trade my car in at Burlington VW and they refused to take it. Two weeks later, my car broke down and my repair bill was \$6,000 (for a new turbo and other related parts). I attempted to get Volkswagen of America to buy back my car or at least subsidize the repair bill, but they refused because of the car's "excessive mileage." I did not realize that 100,000 miles was considered excessive for a diesel. I had no alternative but to charge the repair to a credit card and I will be paying off that \$6,000 repair with interest for the next several years.
- Since my car is now due for a timing belt replacement (at a cost of \$1,000-2,000), I have stopped driving the vehicle and am now driving my 18 year-old pickup truck. Because I have an outstanding loan on the car, I am required by the state of New Jersey to carry full liability insurance, which is costing me \$100 per month.

I appreciate the court's commitment to getting the best settlement for defrauded consumers, but the amount of my settlement will not come close to making me financially whole. I feel that Volkswagen should have been compelled to offer diesel customers their choice of either a deep discount on the price of a new gasoline powered Volkswagen (i.e., several hundred dollars over manufacturer's cost) in addition to the cash settlement or another \$5,000 in cash.

Sincerely,
Ainslie Brown

From: jcbrown
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 11:23:19 AM
Subject: Affected VW Owner/Proposed Settlement

The proposed settlement is a good move in the right direction. The Owner Restitution Payment calculation should be 20% of the Vehicle Value plus \$5,000. Most settlement offers typically start with a minimum \$5,000 offer.

I like my Passat but for the fact that it is contaminating the environment and harming some of the most vulnerable people in our society.

Something not addressed in the settlement are incentives for folks like me, who purchased their vehicle just days before the deception was revealed, to buy another Volkswagen vehicle. Or incentives for those who have paid off their vehicle and the buyback and/or the fix is not worth that much. What about the difference between the value and loan payoff. The walk away should be free and clear of the debt and money in pocket. Money enough to feel like I have received compensation for damages, deception, and fraud! Volkswagen won't feel this financially a year from now but we will. Yet another car purchase and the anxiety about making the right decision; who can we trust

Why am I still paying a car note on a vehicle that my attorney has advised me to sell back to Volkswagen – based on the proposed settlement.

Sent from my Verizon, Samsung Galaxy smartphone

From: Kimberly Brown
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 7:33:58 PM
Subject: \$3755 Won't Entice This Jetta TDI SEL Owner to End My Lease or Fix It

I leased my TDI, first VW vehicle, after my Scion was totaled by a someone who ran a red light while texting and driving. Leasing a vehicle is a "high risk" contract that requires the lessee to care for a vehicle in a way that ensures less than "normal" wear and tear.

Let me explain how leasing typically works.

- You pay a down payment (minimum is your first lease payment) at lease signing.
- You pay for GAP insurance so, the car is paid for in the event of a total loss.
- You pay for insurance on the clear coat, interior, key fob, and alloy wheels.
- You pay some cash toward your lease so you are not "upside down" at lease end.

How it all adds up:

- GAP Insurance > \$800 (can be paid through your auto insurance)
- Extra Insurance > \$1076 (key & tire) + \$609 (Simonize) - *sold by VW*
- Documentation Fee > \$598
- Acquisition Fee > \$625
- Disposition Fee (if you don't purchase the vehicle) > \$350
- Cash Payment > \$1699 (includes first month's payment, tax, registration, and title)

Total > \$5757

So, you're being shorted \$2,002. Would you accept the settlement payment?

(Unless otherwise specified, all amounts are in U.S. dollars and are net of taxes)

(Not part of your monthly or single

you do not
re)

\$ \$ \$ \$ \$ \$

Total of Payments

(The amount you will have paid by the end of the Lease)

\$

Regards,
Unhappy TDI Owner

From: Mark Brown
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 12:34:00 PM
Subject: VW Settlement Proposal Complaint

I am writing to the courts to point out that VW is using 'Trade in values' and not Private Party Sale value.

Trade in Value does not fairly compensate owners for what they could have sold their car for in the Summer of 2015. We aren't trading our cars in. We are selling them back to VW. This robs owners of potentially thousands of \$\$'s.

I, and many tens of thousands of owners, didn't have an opportunity to purchase our cars at a trade in value but rather Private Party and Retail values. Trade in Value is unacceptable and I ask the court to remedy this by requiring at least Private Party Sale value.

Thank you,


Mark Brown
A 2009 Jetta TDi SportWagon owner.

From: [REDACTED] on behalf of Gene Brown
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 11:12:21 PM
Subject: VW Settlement Comment

I own a 2011 Sportwagon TDI. I think you should be using the Private Party Sale value instead of the Trade in Value. Not only are they buying a car from me, an individual, but I never settle for Trade In Value for my car when I'm trading cars. Thanks for considering my comment.

From: Jimfoo
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 2:15:26 PM
Subject: proposed buyback settlement, my "comment" ...

hello there, i am the current owner of a 2009 jetta TDI purchased this april of this year, as i understand it i'll be required to split my settlement with the previous owner as of sept last year. My personal feelings are if VW wants maximum participation in the buyback or fix the CURRENT owners should be offered full compensation. Of course if the previous owner feels compensation is due it should be awarded but not at the expense of the current owner who has assumed all the risk by purchasing the car. thanks for your time and consideration ... 2009 jetta TDI sedan owner James Bryant



From: Dennis Buck
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 7:10:31 PM
Subject: Vw settlement

I'm am the owner of a 2010 TDI sportwagon. This is my second TDI. I have been following the movement of the EPA and the Justice Dept. to make VW pay for the error of their ways. There is no doubt this is about money as VW has deep pockets and the system is after all they can get.

I will admit VW was wrong and they should be fined but lets not take it out on the owners. As an owner of a first generation[and the worst to fix] I believe these vehicles should just be grandfathered in. In the northeast where I live they will disappear soon enough because of road salt corrosion. As far as NOX there is more produced naturally than any of these cars can produce. Put one of these cars and a gas car in a garage and the gas car will get you first. Maybe some of the newer ones can be tweaked and keep going but why should I or others be forced to possibly buy another car or have to drive one that may not run the same or burn more fuel and waste the resources. I'm getting 50 MPG's or better on the highway and budget a car every 12 to 15 years.

Will i buy another TDI? I would if i could. There is probably no other manufactuer that is exempt from doing wrong. GM and ignition switches, Toyota and sudden acceleration, Takata airbags and others. Some of these cause instant death. The EPA has many standards and I have lost respect for them. I have seen them in action locally.

Respectfully submitted,

Dennis W Buck

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 11:23:43 PM
Subject: VW Dieselgate Public Comment

VW Dieselgate Public Comment

To Whom it may concern,

Please also keep this in mind for certain VW owners:

1. In New York we have to pay sales tax on our vehicles, my county is 8%. When I buy my next car, since it won't be a VW at this point, I will have to pay that tax again.
2. Aftermarket upgrades, Since I planned to keep it a long time, I have put over \$3,000 in upgrades including 100K warranty. It would be a loss to pay for labor to remove these and then try to resell the parts.
3. How will we be compensated for these situations?

Thank you,

Chet Burton
[REDACTED]

Reference source:

<http://www.consumerreports.org/volkswagen/you-can-now-comment-on-the-vw-emissions-settlement/>

You Can Now Comment on the Volkswagen Diesel Emissions Settlement Make your voice heard on the automaker's \$14.7 billion deal to buy back cars and clean up its pollution

By Mark Rechtin
July 07, 2016

Although the settlement deal regarding Volkswagen cheating on diesel emissions standards is mostly inked, the details are still being worked out.

A one-month public comment period allows anyone with an opinion on the settlement to make his or her voice heard.

The 225-page deal between VW, the Department of Justice, the Environmental Protection Agency, the Federal Trade Commission, and the state of California, was announced June 28 in San Francisco.

(Details of the VW Dieselgate settlement can be found here.)

If you want to submit a comment, here are the contact details:

By email: pubcomment-ees.enrd@usdoj.gov.

By mail: Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611.

All comments must be submitted by Aug. 6.

From: Ken Burton
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 9:20:58 AM
Subject: Regarding volkswagen settlement

I currently own a 2014 VW Jetta sportswagen. When I bought the car, I also purchased an extended warranty. I would like to know that VW is responsible for reimbursing me for that warranty, at least pro rated to the time that I return my vehicle.

I didn't see mention of this anywhere in the settlement documentation.

Thanks,
Ken Burton

From: Thomas Bush
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:18:20 PM
Subject: VW settlement

This case belonged in one place and one place only. In front of a jury. Why settle for peanuts when the probability of massive punitive damages is out there? The lawyers failed their fiduciary duties to their clients by settling. Cite me a more egregious case of fraud with deeper pockets. I hope a significant % of owners call BS on this piece of crap.

TK Bush

From: Deane Byrd
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/31/2016 3:13:03 PM
Subject: Very angry TDI owner...

I was the first to run out and buy the much touted 'clean diesel' when I purchased my Jetta TDI new in 2009. I am someone who buys a car and sticks with it as long as it's running well. My TDI is in PERFECT condition with only 77k. I just went to the settlement site to get information on the settlement offer. I am livid that I'm getting the NADA 'trade' value versus NADA retail value. The 'clean' trade value is great for some, but not those like myself who have a well cared for and perfectly running vehicle.

Yes, I know there MAY be a fix, but who knows what it will do to the car or the value post-settlement. This makes it impossible to want to take a risk.

I think what makes me most angry is this car is paid in full and I wasn't intending to pick a car payment up anytime soon. Now, because of such a crap trade value (even with the \$5100), VW is going to force me into a car payment in order to get something I'm confident will be dependable. All because they intentionally lied and now I'm stuck with the mess while I'm trying to save all I can as I support a child trying to get through college.

I know this comment will mean nothing in the end, but I felt the need to take the opportunity to send this. Lucky are those with worn down cars who were looking to buy, but boy did those in my category get put in a bad spot!

Scott Byrd

From: Matt and Alicia Cain
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 1:48:54 PM
Subject: 2012 Jetta Sportwagon comment
Attachments: Turbo Repair 2016 (1).jpg

To whom it may concern,

I own a 2012 Jetta Sportwagon TDI. I took my car in for the "software update" on 12/23/15, so I could obtain my vehicle smog voucher that must be submitted along with the smog check for DMV renewal.

On May 17th, 2016, the turbo failed costing \$3000 to fix, plus an additional \$2000 to replace the particulate filter. Consumer reports indicated that turbos can fail when their emission controls are adjusted. Volkswagen denied my claim to pay the repair bill, as the car was out of warranty with 88,000 miles on the vehicle. This settlement should also include any repair reimbursements that have been incurred after the software updates that they required for the smog check voucher. Repair cost reimbursements should be added to the buyback settlement conditions. Please see the attached repair bill to fix the turbo.

Thank you,

Matthew Cain



From: Adam Carparelli
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 10:29:35 AM
Subject: re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

Owner: Adam Carparelli
Model: 2012 JettaSportwagen TDI
VIN: XXXXXXXXXX

I am submitting the following concerns regarding the proposed buyback plan presented by VW.

Like many other owners I've spoken with I have concern over the valuation of my diesel vehicle.

1. Using the trade in value is unacceptable. The result of the buyback program drives for owners to have to purchase a replacement vehicle without having anything to trade. The nature of this RECALL should drive for full MSRP valuation +restitution or at the very least NADA fair RETAIL +restitution

2. The mileage adjustment used is also unacceptable. Reducing the compensation due to mileage of a vehicle advertised and marketed towards owners with longer commutes/trips is extremely unfair. The average mileage should be adjusted drastically or eliminated all together. Punishing owners for using a vehicle as intended is cheap at best. These TDI vehicles are advertised for their high mileage life/capability/economy. Punishing owners for using a vehicle as intended is cheap at best.

3. Ongoing expenses. I have put money into this vehicle in the form of extended warranty coverage, accessories, and maintenance. Having planned to keep this car for 300+ miles as most diesel engines are capable of I've gone above and beyond maintaining the vehicle. That being said, knowing of the buyback plan (with no fix details included) and the continuously delayed schedule for owner resolution, I am continuing to maintain my vehicle, how will these expenses be compensated? How will my losses be covered when roof rack and other accessories aren't compatible with my replacement vehicle?

4. Buyback only if car is returned under its own power. Again this ties to the continuously extended schedule of this ordeal. What if my car is totaled tomorrow? My insurance will not cover the pre-scandal value of my vehicle and I'll lose any right to compensation. The fear of this along with the deduction for mileage are pushing owners to park their vehicles to reduce the risk of continued ownership until this program is fully hashed out.

Thank you for hearing my, and others concerns over this first offer from VW. I look forward to their responses and adjustments to make things right,

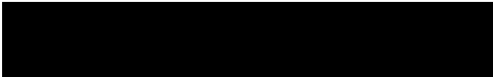
Best Regards,
Adam Carparelli

From: Hobson Carroll
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 2:53:30 PM
Subject: VW diesel scandal settlement terms

Hello. I purchased a 2014 VW Passat TDI SEL vehicle in March of 2014. (There is an associated VW Credit loan agreement to which I currently make payments.) At the time of purchase, I also opted for an extended warranty that would start after the 36 month standard warranty. This extended warranty cost me more than \$1000. Because I won't be able to keep and use this vehicle beyond the buy-out that will take place this October (presuming it is formally, finally approved by the court), I will never be able to utilize any of the original value of that extended warranty option. I believe that persons in my class should be able to receive additional compensation in the buy-out offer that reflects extended warranty purchases (at least for those of us still in the waiting period, because we will never be able to utilize the extended protection) in the form of an additional "option" adjustment similar to the mileage adjustment to the market value that exists. I believe we should essentially be offered the entire amount of our extended warranty cost back.

Trusting that I am not alone in the realization of this additional compensation that is fair and valid, thank you for your attention to this input I am providing.

Sincerely,
Hobson D. Carroll



From: Olivia Carter Pokras
To: 'Olivia Denise Carter-Pokras'; ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 8:25:32 AM
Subject: Additional Comments on VW settlement

I have just registered my car for the buyback on the VW settlement page, and realize that the vehicle return amount is much lower than what would need to purchase a comparable car. When the news came out about the problem with the VW diesel cars, I went to my VW dealer to see if I could trade my car in for the gasoline version of the same car. As I mentioned below, they were going to charge me an additional \$12,000 over and beyond what I had paid just a year ago for a brand new car (including my trade-in). In preparation for that visit to the dealer, I had printed out the true market value prices for my TDI 4door car with sunroof on September 29, 2015 from Edmunds.com. That value had been frozen based on the value immediately before the public announcement of the emission cheating software. The trade-in value for my car at that time was \$19,555. The private party value was \$21,263. The dealer retail value was \$22,725 and the certified user price was \$23,687. This means that the true market value that is being used to set the buyback values is based on TRADE-IN values. We can not buy a comparable car using the TRADE-IN values. Please add this fifth concern to your comments.

Thanks

Olivia Carter-Pokras

-----Original Message-----

From: Olivia Denise Carter-Pokras [REDACTED]
Sent: Tuesday, August 02, 2016 7:25 AM
To: pubcomment-ees.enrd@usdoj.gov
Cc: [REDACTED]
Subject: Comments on VW settlement

Thank you for the opportunity to provide comments. I have four main concerns:

- 1) Length of time - since it has been almost a year since the problem was brought to public attention (and even longer that we have been unnecessarily contributing to higher pollution levels in our country), it is imperative that this issue be resolved as soon as possible.
- 2) Tax implications - this is an issue that has not yet been addressed. According to our tax person, the terminology used for the buyback offer is going to be very important. Given that we will have to get replacement cars, we need to be able to retain the full amount that we receive from VW--not have IRS or our states take another share of the amount that each VW owner/renter receives
- 3) Extra cost of TDI - we paid extra for the TDI over gasoline engines when we purchased the car. This difference should be incorporated into what we are offered for our cars with the buyback
- 4) Diminished purchasing power - given that VW still does not have a "fix" for our cars, there will be hundreds of thousands of people who will be looking for a replacement car in Fall 2015--driving up comparable car prices. What is proposed from VW will therefore not be enough for us to get a replacement car (laws of supply and demand).
Just to give you an example, last September I immediately took my 1 year old car in to the dealer that I bought it from to try to exchange the TDI for the gasoline version. The VW dealer was going to charge me \$12,000 in addition to taking my car back so that I could get a gasoline version of the car.

The offer to owners/renters should include not only a penalty charge for lying to us and creating an environmental problem, but, also incorporate the difference between what a gasoline version and the TDI that we paid when purchasing the car, fair value for the car, extra \$ to cover any tax implications, and extra \$ to make sure that we can fairly compete in the market for a replacement car.

Olivia Carter-Pokras

From: Olivia Denise Carter-Pokras
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]
Sent: 8/2/2016 7:25:22 AM
Subject: Comments on VW settlement

Thank you for the opportunity to provide comments. I have four main concerns:

- 1) Length of time - since it has been almost a year since the problem was brought to public attention (and even longer that we have been unnecessarily contributing to higher pollution levels in our country), it is imperative that this issue be resolved as soon as possible.
- 2) Tax implications - this is an issue that has not yet been addressed. According to our tax person, the terminology used for the buyback offer is going to be very important. Given that we will have to get replacement cars, we need to be able to retain the full amount that we receive from VW--not have IRS or our states take another share of the amount that each VW owner/renter receives
- 3) Extra cost of TDI - we paid extra for the TDI over gasoline engines when we purchased the car. This difference should be incorporated into what we are offered for our cars with the buyback
- 4) Diminished purchasing power - given that VW still does not have a "fix" for our cars, there will be hundreds of thousands of people who will be looking for a replacement car in Fall 2015--driving up comparable car prices. What is proposed from VW will therefore not be enough for us to get a replacement car (laws of supply and demand). Just to give you an example, last September I immediately took my 1 year old car in to the dealer that I bought it from to try to exchange the TDI for the gasoline version. The VW dealer was going to charge me \$12,000 in addition to taking my car back so that I could get a gasoline version of the car.

The offer to owners/renters should include not only a penalty charge for lying to us and creating an environmental problem, but, also incorporate the difference between what a gasoline version and the TDI that we paid when purchasing the car, fair value for the car, extra \$ to cover any tax implications, and extra \$ to make sure that we can fairly compete in the market for a replacement car.

Olivia Carter-Pokras

From: Laurie Case
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 2:56:16 PM
Subject: Fwd: Proposed VW Settlement Comments

U.S. Department of Justice:

Thank you for the opportunity to comment on the prospective VW TDI lawsuit settlement. I own a 2011 VW Jetta Sportwagen TDI, purchased new in May 2011. I was looking for a car that got excellent mileage and had storage capabilities for three reasons: 1) I had accepted a job requiring a 100 mile daily commute; 2) the new job was as a sustainability coordinator for a university campus, so I was wanting a "clean and green" car; and, 3) I wanted a station wagon or small SUV to haul stuff including a 100 lb. dog. The Jetta Sportwagen TDI fit the bill.

I was basically happy with this purchase as it does get excellent mileage, is fun to drive, but I did have to sink several thousand dollars into a repair because of issues with the intercooler on the turbo getting clogged with ice during our cold Wisconsin winters. This should have been a recall in my opinion as it was a known issue with this engine in areas of the country with cold weather. VW covered the cost of the parts after I petitioned them. The veracity of the company came into question in my mind at that point.

The long-delayed buyback proposal, as it stands now, in my opinion has a flaw and that is the mileage discounting. My 2011 has 133,000 miles - I and I'm sure many others - bought this car for its mileage capabilities for commuting distances and because diesels have a well-earned reputation for their durability and ability to go for many hundreds of thousands of miles. That was a key VW marketing tool, in addition to the 'clean' diesel, and that's the way I used the car.

The proposed settlement in my opinion unfairly "dings" those customer who bought the "clean diesel" as a better way to less adversely impact the environment through high efficiency - i.e. burning less fossil fuels given long commutes and high mileage. With the older TDIs in particular, where it seems unlikely that an acceptable fix will be found that maintains both fuel economy and engine performance, and where the cars will likely be scrapped, why would mileage have any impact at all? It's not like VW is going to be able to resell the cars where a high mileage vehicle would net a lower profit for them. They aren't going to invest in the fix, if they find one, on a high mileage vehicle. Mileage is a moot point for these cars.

Please eliminate the mileage part of the complex equation for older model, high mileage TDIs where VW will likely scrap the vehicle. This is a loophole where they once again do a disservice to the customer. I don't want to be unfairly penalized for using the car as a high-mileage daily commuter because I was trying to be a good environmental steward.

The irony of it all given my job in sustainability, my bragging to my colleagues about the good mileage I got/get, is, well, ironic (an infuriating). VW has lost my trust (and I've had two other VWs) and business.

Again, please eliminate the mileage calculations for older model TDIs as currently outlined in the draft settlement. Thank for your consideration.

Sincerely,

Laurie Case
2011 Jetta Sportwage TDI
133,000+ miles

From: carin chapin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 10:42:23 AM
Subject: VW proposed consent decree

While I am pleased that both the State of California and the United States of America are holding Volkswagen responsible for deception and pollution, I believe buyer compensation should be based on this rationale:

If the deception had been discovered the day before I purchased this car, I would not have bought it. If it had been discovered the day after I bought the car, I would have a much higher basis for compensation. I do not equate this situation with that of purchasing a mattress, where a refund is prorated based on the number of years of owning and using the product.

I believe we should be refunded the full purchase price of the automobile, adjusted for the cost of living.

Thank you,
Carin Chapin



From: Ken Charuk
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 8:04:03 AM
Subject: VW settlement

While pleased that VW has come up with an approach to fixing the problem it created, I feel the offer does not go far enough. I was cheated by this deliberate deception. I bought my Jetta for its performance and fuel savings and intended to keep it for a decade or two and was hoping to drive it over 200,000 miles.

What would make me whole is a refund of my full purchase price (please include taxes and fees and I will let triple damages go...) in addition to the compensation for the fraud. The buy back offer has me replacing the car before I intended and it is not clear to me that if I accept the repair option, if I can later reject if the fuel economy and performance down grade is unacceptable to me.

Ken Charuk
2010 Jetta TDI

From: Ian
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:31:56 AM
Subject: VW TDI settlement public comment

As an affected party of the VW emission cheating scandal (2013 VW Passat TDI SEL) I am directly impacted by the outcome of the settlement terms outlined by the documents published 7/26. I have carefully reviewed the proposed terms and have two main concerns that I feel the Court needs to address when finalizing the settlement terms:

1. During proceedings the buyback option was stated multiple times to be the pre-scandal RETAIL value of the vehicle. This includes statements made by the judge. The numbers published do not reflect that, instead they are using trade-in value. As an owner who would effectively be 'selling' the vehicle back to the manufacturer this is cheating me out of a significant percentage of the value. Had I sold the vehicle 9/2015 to a private party I would have received RETAIL value and not TRADE-IN value. Please correct these figures to accurately represent what was stated by the court.

2. The mileage calculations based on 1042 miles per month (12504/yr) is extremely unfair for the average TDI owner. Most TDI owners purchased the vehicles for their fuel economy and long-term durability due to putting a large amount of miles on them and/or keeping them for a long period of time, personally I fall into the former category. The 12504/yr number does not even meet the average miles driven for a US driver as calculated by the US Federal Highway Administration. At a MINIMUM that mileage figure should at least reflect the average mileage spec'd by the US FHWA and preferably should reflect what a 'high mileage' lease would allow, currently 15-18k/yr.

I hope that the Court will take these concerns into consideration when finalizing the details of this case.

Thank you.

--Ian

Ian Clendaniel



From: Kent clow
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:20:26 PM
Subject: Volkswagen settlement and buyback proposal

I currently own two VW diesels effected by the above referenced settlement. I want to point out that using trade in values for the buyback proposal is not a fair basis. Since both of my cars are considered generation 1, it currently appears that there will be no fix and I will probably be forced to take the buyback. At the trade in value, I will not be able to replace either car with something equivalent. Therefore, I think it would be more realistic to base the values off the clean retail price from early September 2015, prior to the news release of dieselgate.

If someone wants to contact me to discuss this, I can be reached at [REDACTED].

Thank you, Kent Clow

Sent from my iPad

From: Greg Codori
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 7:02:22 PM
Subject: re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

I would like to voice my opinion of the settlement as proposed to owners of affected TDIs.

I own a 2013 Passat SEL. I still owe to VW \$21,600. After the payout from VW and the loan being satisfied, I will walk away from this TDI with \$4,600. I have paid about that much in taxes and down payment, plus Nearly \$9,000 in payments to VW. All told I have spent \$14,000 for this car (not including maintenance expenses) and will get \$4,600 back. In order to "sell" this car back I will be without a car and be in debt for about \$10,000. To replace this car I'll have to spend another \$3,000 to \$4,000 in taxes plus more in a down payment. All this because of the settlement.

I can provide loan payoff information as proof that I and perhaps many others will not be getting anything from this settlement and will actually end up financially hurt by it.

Please consider my statement before agreeing on a final settlement.

Greg Codori

From: Mark
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 12:26:14 AM
Subject: VW 2.0 liter settlement

The proposed settlement is not acceptable on the condition that VW will be buying back at dealer trade in. The buy back should be at private party sell amount.

VW has no right to buy these vehicles at the lower cost when prior to this chicanery, I could sell my vehicle for several thousand dollars more privately. The additional money on top of that should have no bearing. That is retribution for their deceit, and fraud to the american system.

There is no fix (if any actually exist), that could be done where I could sell at the private party amount.

Mark Cohen
2009 VW Jetta TDI

From: Michael Cole
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 12:31:21 PM
Subject: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation

To Whom it May Concern,

I have been doing a lot of research on this situation to figure out if my buy back settlement will be fair or not. I know my opinion is just one in over 470,000, but I have some concerns about the initial buyback values provided by the court related to the case.

My biggest concern is that the owner restitution should be opposite from what it is. Currently, the older VW and Audi vehicles are projected to receive closer to the \$5100 restitution amount while newer vehicles would receive closer to the \$10,000 estimate. I am concerned with this because I have a 2010 Jetta, which is completely paid off, and the reports suggest that the older vehicles are less likely to have a fix, leaving me with only one option...to sell the vehicle back to VW. I realize that I also have the option to keep the vehicle, take the \$5100 settlement and just never get it fixed, but I bought this car because I thought it was better for the environment. Colorado requires annual emissions tests once the vehicle is 7 years old, which will be next year. If VW is unable to bring this vehicle into compliance, I have to gamble and hope that the EPA and Colorado DOT never find a way to override the system in order to continue driving the Jetta for its full lifespan, while also continuing to contribute excess emissions to our environment, which I do not want to do. Since it is still unclear as to what the fix will be, or if a fix can only happen for the newer vehicles, I understand not worrying about it too much at the moment, but if I am offered fewer options to resolve my settlement, shouldn't that be taken into consideration? I had planned on driving this vehicle into the ground, so to speak, and now I have to find a replacement vehicle because the risks of keeping the vehicle far outweigh the benefits of keeping it.

My second concern has to do with the use of the NADA trade-in value. Again, this concern is tied to the fact that I have to get a replacement for my completely paid for Jetta when I had planned on driving it for as long as possible. Establishing the buyback amount to the amount that a dealer would have paid for a trade-in back in September is like letting VW get away with this. Additionally, I would not be trading the vehicle in to VW, I would be selling it back to them. Shouldn't owners of these affected cars get the market price that dealerships would have been selling the vehicles for; in most cases this is a \$3,000-\$4,000 difference in the potential settlement.

Being forced into selling a perfectly good car back to VW, that I easily expected to reach 200,000+ miles, is criminal. I bought my 2010 Jetta TDI at full value, brand new, only six years ago. My car just reached 70,000 miles and is in great working order, other than the emissions presented here. I am being offered a negligible value for my vehicle compared to the original purchase value, the taxes and interest paid on the loan, the interest and taxes I will have to pay to find a replacement vehicle, and for being duped by VW's marketing campaign into purchasing the vehicle based on what they lead me to believe was a fantastic, environmentally friendly vehicle.

I know I am just one voice in almost a half million owners, but I believe these are reasonable concerns and I appreciate your consideration of my concerns,

Michael Cole


From: Michael Cole
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 1:46:59 PM
Subject: Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation

To Whom it May Concern,

I would like to provide additional support for my reasoning of the flawed owner restitution calculations. The owner restitution payments provide a higher payment for owners of newer vehicles that have invested less in their Volkswagen TDI's. Furthermore, those owners that no longer have their TDI financed do not receive a benefit that would potentially reimburse them for unpaid interest owed on their vehicles. I have a two recommendations to make this right. First, the owner restitution payments should be higher for owners of older vehicles because these owners likely have the vehicles paid off and had planned, like myself, to drive the vehicles until they fell apart. These owners are also going to have to replace their TDI, which will be a more significant financial burden versus owners of newer models, who will likely move from financing one vehicle to financing another without a major impact to their financial situation. My second recommendation is that Volkswagen should pay an equal owner restitution amount across the board, regardless of the TDI model year. I believe this recommendation is not only to be more widely accepted by current owners, but I think this will also help Volkswagen to meet the goal of getting 85% of the affected TDI's off the road. If I had to place a dollar figure on the equal owner restitution payment for all current owners, I would recommend \$8,000.00. I recommend this amount because of the fact that VW has been preliminarily approved to buy back these vehicles at the trade-in value rather than the "NADA Clean Retail Value" as stated in my previous comment. I would like to reiterate my previous comment that I feel like I am being treated as though this settlement is occurring because of something I did or because of a decision I made about my vehicle. I do not believe that the "NADA Clean Trade-In" value is a fair value to the consumer, who did nothing wrong in this situation. Again, I have completed paid my TDI off, paid for all of the taxes and interest, and I've invested a lot in to this vehicle to ensure that it would make it to 200,000+ miles. I now have to give up a perfectly good car, minus the emissions, and purchase a new or used car which I will have to again pay an excess amount for taxes and interest. Because of this, I believe that Volkswagen should be offering owners the "NADA Clean Retail" value of our vehicles. To provide a little perspective, as of today, July 29, 2016, the "NADA Clean Retail" value of my vehicle with mileage and options is equivalent to the amount I am being offered for the "NADA Clean Trade-In" value as of September 15, 2015 (Screen shot has been provided below). The fair and just thing for VW to do is to buy these vehicles back at a price that VW Dealers would have been selling the vehicles for prior to the news of the cheat device.


I appreciate your consideration of my continued concerns and I hope that Judge Breyer takes into consideration the financial impact to the individual owners and not just the overall dollar figure of the settlement. I just ask that both sides remember that the owners were the ones who were deceived in this settlement and that all of us owners are compensated appropriately.



2010 Volkswagen Jetta-4 Cyl.

Sedan 4D TDI

[Compare to Other Cars](#)

 [View Pictures \(1\)](#)



Values

 [Print](#)

	Rough Trade-In	Average Trade-In	Clean Trade-In	Clean Retail
Base Price	\$5,000	\$6,000	\$6,825	\$9,275
Mileage (75,000)	\$650	\$650	\$650	\$650
Total Base Price	\$5,650	\$6,650	\$7,475	\$9,925
Options: (change)				
Power Sunroof	\$450	\$450	\$450	\$500
Price with Options	\$6,100	\$7,100	\$7,925	\$10,425

Thank you,
Michael Cole

On Thu, Jul 28, 2016 at 10:31 AM, Michael Cole [REDACTED] wrote:
To Whom it May Concern,

I have been doing a lot of research on this situation to figure out if my buy back settlement will be fair or not. I know my opinion is just one in over 470,000, but I have some concerns about the initial buyback values provided by the court related to the case.

My biggest concern is that the owner restitution should be opposite from what it is. Currently, the older VW and Audi vehicles are projected to receive closer to the \$5100 restitution amount while newer vehicles would receive closer to the \$10,000 estimate. I am concerned with this because I have a 2010 Jetta, which is completely paid off, and the reports suggest that the older vehicles are less likely to have a fix, leaving me with only one option...to sell the vehicle back to VW. I realize that I also have the option to keep the vehicle, take the \$5100 settlement and just never get it fixed, but I bought this car because I thought it was better for the environment. Colorado requires annual emissions tests once the vehicle is 7 years old, which will be next year. If VW is unable to bring this vehicle into compliance, I have to gamble and hope that the EPA and Colorado DOT never find a way to override the system in order to continue driving the Jetta for its full lifespan, while also continuing to contribute excess emissions to our environment, which I do not want to do. Since it is still unclear as to what the fix will be, or if a fix can only happen for the newer vehicles, I understand not worrying about it too much at the moment, but if I am offered fewer options to resolve my settlement, shouldn't that be taken into consideration? I had planned on driving this vehicle into the ground, so to speak, and now I have to find a replacement vehicle because the risks of keeping the vehicle far outweigh the benefits of keeping it.

My second concern has to do with the use of the NADA trade-in value. Again, this concern is tied to the fact that I

have to get a replacement for my completely paid for Jetta when I had planned on driving it for as long as possible. Establishing the buyback amount to the amount that a dealer would have paid for a trade-in back in September is like letting VW get away with this. Additionally, I would not be trading the vehicle in to VW, I would be selling it back to them. Shouldn't owners of these affected cars get the market price that dealerships would have been selling the vehicles for; in most cases this is a \$3,000-\$4,000 difference in the potential settlement.

Being forced into selling a perfectly good car back to VW, that I easily expected to reach 200,000+ miles, is criminal. I bought my 2010 Jetta TDI at full value, brand new, only six years ago. My car just reached 70,000 miles and is in great working order, other than the emissions presented here. I am being offered a negligible value for my vehicle compared to the original purchase value, the taxes and interest paid on the loan, the interest and taxes I will have to pay to find a replacement vehicle, and for being duped by VW's marketing campaign into purchasing the vehicle based on what they lead me to believe was a fantastic, environmentally friendly vehicle.

I know I am just one voice in almost a half million owners, but I believe these are reasonable concerns and I appreciate your consideration of my concerns,

Michael Cole



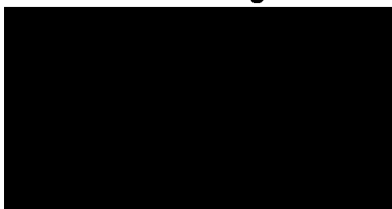
From: Benjamin Coll
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 11:53:00 AM
Subject: Comment from TDI Owner

- 1) Ability to opt for the buyback even after the fix is installed. I don't want to get into an argument with VW about performance or fuel efficiency; it should just be a simple, "you have 90 days from the fix being installed to take the buyback option; no questions asked."
- 2) Under the definitions section of the proposed agreement, the car has to be delivered to VW under its own engine power. My concern is if there's an accident and the car is totaled by the insurance company, or it is stolen, I'm left to fight with VW as an individual for the proposed settlement amount. I don't have the time or resources to fight with the largest global auto manufacturer over what amounts to maybe \$10,000. That's an unreasonable expectation.
 - a. The definition section should be changed to include totaled and/or stolen vehicles with title transferred to insurance company (and of course the supporting documentation from insurance company and/or police report).
- 3) I'd like to see language in the settlement where owners that opt for the buyback option receive a 20% discount off MSRP of a new VW in order to remain with the brand. That shouldn't be left to the dealerships and customer by customer negotiating skills. And that shouldn't come out of the dealership's pocket if they decide to work thin on a deal to keep a customer with the brand.

I'm more than happy to provide my VIN and any other information you need to validate my status as an impacted owner. I have a 2015 Golf SEL TDI.

Thanks for your time.

Benjamin Coll
Product & Pricing Director



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 12:08:46 PM
Subject: Case 3:15-md-02672-CRB VW Settlement

To Whom it May Concern,

I own a 2013 VW TDI and I am opposed to the proposed VW Settlement because it is a bad deal for the consumers and a great deal for VW to limit their liability. This was a fraud that was planned and instituted by Volkswagen, not a one off problem or as they originally said "a couple of bad apples". If Apple did the same thing on an Iphone, or there was a safety recall of a child's toy - would the manufacture be limited to compensation at a discounted wholesale level? How is this in conformance with the FTC partial consent decree of ""no less than Retail Replacement Value". At least don't use the trade-in value. Will VW take my Jetta TDI and give me a 2017 Golf VW with no additional sales tax due, dealer fees, and the cash compensation? I don't think so.

In fact, due to the depreciation - the longer they could maintain this fraud; the less they have to pay (older vehicle - less value). So in essence, any company would be motivated to stonewall and hide the fraud for as long as possible to minimize their financial loss and maximize the consumer's. What about the sales tax, dealer fees, fees for tags I paid. Additionally, VW's handling to date has not been good - so whether I sell the vehicle back to VW or elect for a fix (whenever that might be); this process is sure not to be smooth. What should I do between the time of turning in the car and purchasing another one. I will have to pay for a rental, taxi, or make other arrangements out of my pocket. I am sure VW would like me to turn this in and drive off the lot with VW car financed by VW. This is not making me whole. Additionally, this discounts the tax credit for a trade in. I am a double loser when I go to purchase a new vehicle whether with VW or another manufacturer.

This was a calculated corporate risk. Don't get caught - they win. Get caught - they still win. This is an inversion settlement. I am making VW whole.

Sincerely,
Bryant Collins

From: Conrad, Douglas
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 8:49:52 AM
Subject: vw settlement proposal

While I believe the proposed agreement goes a long way to resolving the falsehoods and reduced value of my 3rd vw diesel since 2002; I would like some safeguards and /or set schedules for the buyback. Although my auto is running fine, I would like vw forced to start the buyback as early as possible. The rumored late 2016 is unacceptable! They have known about this for years, did a cost-benefit analysis of the cheat, so they should be forced to start paying shortly after the settlement is finalized, not at their own pace.

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From: Peter Conrad
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 5:55:25 PM
Subject: Volkswagen settlement comments

Good afternoon-

I disagree with the broad generalizations used in assigning compensation value to the vehicles. For instance, on my 2013 Jetta Sportswagen, I had the local VW dealership perform the 40k scheduled maintenance this year. That amounts to an out of pocket expense of almost \$1000. Similarly, for anyone that replaced tires, paid for repairs, or added any customization products. How is that personal cost accounted for or pro-rated in the settlement?

Additionally, Volkswagen breached trust and contract at the time of initial purchase. As a result, they should forfeit the interest I paid on my loan to Volkswagen Credit.

I request that Volkswagen assign case workers to my customer account to determine my individual cost and settlement.

Regards,
Peter Conrad

Sent from Mail for Windows 10

From: Matthew Coon
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Matthew Coon
Sent: 8/5/2016 1:29:46 PM
Subject: VW Diesel Settlement

I purchased a Jetta TDI based on false claims / advertising by this corporation, and as a result have been unknowingly emitting excess pollutants for many years. Volkswagen should not be allowed to profit in any way from the fraud that they committed and the damage to the environment that resulted from their fraud. Volkswagen should be required to REFUND THE ENTIRE ORIGINAL PURCHASE PRICE to owners of cars equipped with the "defeat device", and should pay fines to the USG based on the time each offending vehicle was "on the road" (estimate 12,000 miles/year per car).

Based on the current estimated compensation tables, TDI owners who have driven their cars the longest (emitting pollutants over a longer period of time) will receive LESS compensation than those owners who have been driving the offending cars for shorter periods of time. Because this case is about violating EPA regulations, compensation should be based on how long the owner has been unknowingly emitting pollutants vice the age of their car.

Respectfully,

Matthew Coon


From: Josh Cooper
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 3:22:47 PM
Subject: Volkswagen Diesel Emissions Settlement

Hi,
My name is Josh Cooper, and I have owned 7 VW TDI vehicles since 1999.
I love the vehicles, obviously which explains why I have so many of them.

The cooperate deceit that VW has displayed is so Criminal, I am surprised they will still be allowed to do business in the US.

To offer to buy vehicle back a " clean trade in value" plus punitive damages is a Joke.
I would not even think about selling my current TDI (2012 Passat) back to VW unless they pay me what I paid for it.
This was not a defect found after the fact. This was a flat out lie, and VW should have never sold the vehicles in the first place.

Full purchase price or nothing.

Thank you for you consideration.

Josh Cooper



From: John Coppin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 12:29:56 PM
Subject: In Re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

USDOJ,

The proposed settlement makes the presumption that TDI owners had the intention of trading their vehicles in and receiving the NADA trade in value. Among the many, so called benefits of owning a TDI, was their resale value on the open market. Since September of 2015, I have continued to make payments on my TDI simply because the drop in its value and loss of its reputation made it impossible to sell without taking a substantial loss. This drop in value and loss of reputation rests entirely with Volkswagen and their deceptive practices. Volkswagen should be made to pay at the very least, the retail value of the affected vehicles prior to the scandal being made public along with restitution based on the retail value. The vast majority of TDI owners paid retail when they purchased their vehicles and to force us to sell them back at a discounted trade in value is an injustice to each of us. Volkswagen does not deserve a "deal" in this instance.

Respectfully,

John Coppin
Director of Electrical Services



From: ROD COSTILL
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 3:39:39 PM
Subject: VW settlement

Under the buyback vw should have to pay private selling price. Other wise deal don't seem worth anything.

From: Tom Crafton
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 8:22:19 PM
Subject: dealer of origin

My name is Thomas Crafton I have a 2014 TDI Jetta. I have just moved to Ak from Md and had my car shipped to our new home. I intend to sell back the car with the settlement. I want to express my strongest concern that I not be forced to ship the car back to MD to the dealer of origin. That would be totally unfair. To penalize anyone that moved out of state would be salt in the wound. Please consider the many of us in a similar case.

thank you

Thomas Crafton MS

From: Nicholas Cummings
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 10:08:25 AM
Subject: Comment Regarding VW Diesel Settlement

Summary: owners should be offered an option to receive an amount of compensation equal to the drop in value of the vehicle associated with the scandal, with VW being required to remediate an equivalent level of nitrous oxide from the atmosphere that the vehicle will emit over life of the vehicle.

I own a 2013 Passat TDI and I'm writing to express concern that no option is being offered to allow current VW owners to keep their cars as-is with no alterations. As consumers who were tricked by the malicious actions of VW, we should not be forced to give up our vehicle nor should we be forced to comply with a recall that is not fundamentally safety related.

Since no fix has yet to be approved for the emissions issue, and even if it were it would likely have significant effects on the performance of the vehicle, owners should be offered an option to receive an amount of compensation equal to the drop in value of the vehicle associated with the scandal, with VW being required to remediate an equivalent level of nitrous oxide from the atmosphere that the vehicle will emit over life of the vehicle.

This is the only fair solution that allows for owners to keep their vehicle, receive some compensation due to the loss of value of their vehicle, and to remediate the environmental damage caused by VW's malicious deception. I recognize the cost to VW could be extraordinarily high to remediate the damage they have caused to the environment, however, "fair is fair."

Nicholas Cummings
Passat TDI owner

From: Czeto, Alexander
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 6:09:09 PM
Subject: VW TDI

Dear Assistant Attorney General,

I am writing to ask you to reconsider the settlement of us VW owners who purchased the TDI new back in 2009. I traded in a 1998 SUV (20mpg) for the TDI (35mpg) and a

"Greener" car. I used the "Cash for Clunkers" incentive offer by the US Government.

I paid list price minus \$4500 incentive. I believe I was misled by VW in this purchase. I do NOT want cash (~14,000) but would like you to consider a replacement VW of equal value to the \$27,325 I paid initially.

Thank you for your consideration

Pat Czeto

--

Alex

Life Begins At The End Of
Your Comfort Zone.

From: Molly Daly
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 7:20:00 PM
Subject: Re: "Clean Diesel"

August 3, 2016

To: Assistant Attorney General, Environment and Natural Resources Division

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden --

I'm writing to express my concerns about the proposed "Clean Diesel" settlement.

I feel the buyback amounts don't provide adequate compensation.

My 2-door 2010 VW Golf GL TDI is my fourth Golf, and second TDI. I bought it new. With a 96 mile daily commute, I'd chosen it for its fuel economy, "clean" technology, and reliability. As with my first TDI, I planned to keep it for ten years. I put 272,000 miles on my 2000 TDI before selling it for \$3,000. My current car has 152,000 miles on the odometer.

Now I'm faced with the prospect of having to replace my car, which, even with the buyback and compensation, will cost me money I hadn't planned on spending. Barring a miraculous windfall, that money will most likely have to come out of my 401K.

It's outrageous that, having already scammed me with their "clean diesel" charade, VW will cheat me a second time by forcing me to raid my retirement savings to buy a replacement vehicle.

And then there are the logistics. When I sell my car back to VW, how am I supposed to get around if I haven't already found a replacement? Will I need to rent a car, or buy the replacement first? How, then, am I to pay for that? Will the VW compensation include the taxes I'll have to pay when I buy the new car?

It's my understanding that the consumer compensation part of the settlement is intended to "make whole" TDI owners. The only thing that will make this TDI owner feel whole is for VW to refund my car's full purchase price.

Thank you for your consideration.

Sincerely,

Moira Daly



From: Trae Daniel
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 2:57:24 PM
Subject: VW Diesel Settlement is BAD

To Whom It May Concern:

The VW diesel settlement is bad for VW owners as currently structured, and here's why:

According to my calculations, this is what I will receive in this settlement for a VW Sportwagen Diesel that I purchased on **August 29, 2015**, two weeks before this scandal publicized. You call this fair?

Golf Sportwagen TDI 2015

Model Year

Model and Trim

Buyback

Approved Emissions Modification

Option 1:

Sell your car back to VW plus a cash payment for a combined total of:

Option 2:

Keep your car, get a free modification to reduce emissions plus a cash payment of:

VW Golf SportWagen TDI S

\$24,043 – **\$28,588**

\$6,496 – \$7,254

As I paid a total of \$28,230 on August 29, 2015, I will receive a max of \$358 for this mess. And then have to go purchase a new car.

Where is the money going? To the lawyers?

Where is my restitution and damages?

Trae Daniel
[Redacted]

From: Roy D.
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: ww@bmalawfirm.com; kparrish@scbmalaw.com
Sent: 7/14/2016 3:49:39 PM
Subject: Comments on proposed VW Diesel settlement

Sirs,
I am contacting you to comment on the proposed VW Diesel settlement (<https://federalregister.gov/a/2016-15858>)

I am a registered owner of one of the oldest affected vehicles, a 2009 VW Jetta TDI sportwagen
[REDACTED].

I believe the settlement to buy back the cars at their value as of September 15, 2015 (before public news of the VW deception) is a fair method of compensating owners of these vehicles. However, I do not understand the methodology that used to determine the "emissions modification compensation" amount that I believe is meant to punish VW and to compensate owners for operation of a non-compliant vehicle. I have read that the emissions modification compensation is "\$2,986.73 plus 20 percent of your car's value" but no less than \$5100. I believe that the emissions modification compensation amount should be based on the time that car has been in service not based on the car's value as of September 15, 2015. Presumably, I have done much more damage to the environment with my non-complaint car being on the road since October 2008, than someone who purchased a 2015 non-compliant vehicle in January 2015. I polluted more, VW should therefore pay more. The amount of pollution generated by my car has nothing to do with its' value. Those who recently purchased their vehicle are getting more compensation for having the car for a shorter period of time. The buy-back price as of September 2015 already fairly compensates them for the larger value of their vehicle.

Sincerely
Roy E. Danz
[REDACTED]

From: Timothy Darby
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 9:46:45 AM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

TO: Assistant Attorney General, Environment and Natural Resources Division

Reference: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

The ultimate goal of this agreement is to compensate owners or lessees of Eligible Vehicles for any harm they suffered as a result of the emissions issues and to ensure that Volkswagen's 2.0-liter TDI vehicles do not generate excess NOx emissions.

The Class Action Agreement which resulted from the Consolidated Consumer Class Action complaint ECF No.1230 was released for Public Comment on June 28th, 2016. The Agreement provides Class Members who own an Eligible Vehicle the opportunity to sell their vehicle to Volkswagen and receive the Vehicle Value based on pre-September 18, 2015 market value adjusted for options and mileage. This is necessary given a vehicle value which has been diminished by the Volkswagen problem of emissions from excess oxides of nitrogen. In addition, the owner would be granted a restitution payment to fully compensate class members for the time and inconvenience of Buyback plus Loan Forgiveness if applicable.

The Vehicle Value is an attempt to make the owner whole for a vehicle whose market value has been diminished by the Volkswagen problem of emissions from excess oxides of nitrogen. Given that the resale market after September 15, 2015 was impacted by the court case now in Public Comment, it is only fair that the NADA vehicle values of September 15, 2015 be used. Overall, the Agreement is fair and reasonable.

However, one situation is not fair. Consider the case of an owner whose vehicle was totaled after Sept 15, 2015, and who was patiently waiting out the court case for compensation. Volkswagen plans to exclude this owner as a Class Member and further, Volkswagen offers to only make the restitution payment between the September 16, 2016 Opt-Out Deadline, but before the end of the Claim Period (Section 4.2.2). Unfortunately, the insurance net proceeds will always be less than Vehicle Value as the insurance net proceeds are based on a vehicle whose market value has been diminished by the Volkswagen problem of emissions from excess oxides of nitrogen.

I think it would be fairer for owners of otherwise Eligible Vehicles which were totaled between September 15, 2015 and before the end of the Claim Period to receive

- a) the restitution payment,
- b) the net insurance proceeds (which are based on a diminished vehicle value), and
- c) a payment from Volkswagen which recognizes the difference between Vehicle Value less net insurance proceeds (perhaps funded by Volkswagen's Loan Forgiveness Designated Fund for Eligible Owners as described in Section 3 of Settlement Benefits to Class Members).

Such a provision would help prevent owners who own the original title and are prepared to drive the totaled vehicle under the power of its own 2.0-liter TDI engine to the dealership (a requirement for Eligible Vehicle compensation per Agreement Section 2.16.i.).

It has been estimated in some TDI forums that one percent to two percent of otherwise Eligible Vehicles will be totaled before the end of the Claim Period. With 475,000 vehicles in the Class, one should take care to minimize the situations where a meaningful number of Owners opt out of the Class to pursue separately negotiated arrangements with Volkswagen.



From: James W Daubney
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 9:59:56 AM
Subject: Comment on settlement for my diesel VW Passat

July 27, 2017

Dear Sir or Madam

My concerns as to the proposed settlement. I own an affected 2013 VW Passat TDI. (VIN:

[REDACTED]

My wife and I purchased the car new in May of 2013. Final retail price was about \$31,000 but add about \$1000 in sales tax and registration fees,(that we will not recoup) \$4000 down payment plus the “dealer documentation” fee of approximately \$350 and I’m still out another \$1300 dollars. What concerns me the most and the part of the settlement that I **STRONGLY OBJECT** to is the courts allowing VW to use TRADE IN VALUE, as opposed to RETAIL VALUE in determining the buy back amount. If I take the buy back will Volkswagen offer to sell me a new car at a marked down “trade in value”? No they will not. If I choose to take my business to another manufacturer will they sell me a new car at “Trade in Value”? doubtful. The current deal is a clandestine and disingenuous way for Volkswagen to minimize loses and possibly sell the consumer another car, knowing full well that people taking the buy back option will need to purchase another vehicle.

What happens to people opting to keep their vehicle and have it repaired? People choosing buy back get an added bonus, but people choosing to keep the vehicle must still make their payments, and only get the \$5000 - \$10,000 remediation? That is inherently unfair.

If the settlement included language to make Volkswagen pay RETAIL VALUE for the buy back program versus the much lower trade in value then my wife Lisa and I will be satisfied with the settlement.

Sincerely,

James W. and Lisa A. Daubney

[REDACTED]

From: Amber Daugherty
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 1:29:16 PM
Subject: VW Settlement Comment

The buy-back option fails to compensate for the amount of sales tax I paid when purchasing this vehicle and the loss of my trade-in when I purchased the vehicle. My vehicle is currently financed. VW is offering to pay off my loan and \$7k in my pocket to buy back my car. I will spend half of that \$7k just in sales tax to purchase a new vehicle. I have already paid \$3K in taxes at the time of purchase and will lose the benefit of having a trade in to haggle for a new car. I have spent the last three years paying towards a vehicle that was meant to be an investment and last me several years after my loan was paid in full. It would have also been used as a trade-in for a new car at a later date.

Now, my options are starting over with loan payments, with no real compensation or money to put towards a new vehicle or waiting to see if they can come up with a fix that will likely decrease the specs of the car. While I think the value of the car was a fair assessment, there is no real compensation for the fact I now have to purchase a new vehicle and all the cost associated with that. I'm starting out with nothing, when three years ago at the time of purchasing my VW I had a good trade-in and money for sales tax.

Thank you.

From: David
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 8:48:51 PM
Subject: VW Settlement Comment on Mileage Adjustment

I am an owner of a 2015 VW Passat TDI. I had my car serviced on 19 September 2015, one day after the date of the VW emissions scandal. The car was serviced at a VW dealership and the mileage was recorded. I also have the original invoice that shows the odometer mileage.

My belief is that if I have documentation that shows what the exact mileage was (both via a VW dealership invoice and in the VW service history records), only one day after the emissions scandal date (ie. the date of the Clean Trade Vehicle Value), this is a more accurate mileage to use rather than the adjustment formula, as I will essentially be penalized by anywhere from \$1,302 - \$1,860 having to wait until late October/early November to have VW buy back my car. I'm being penalized by just driving my car to work every day.



Virus-free. www.avast.com

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 10:06:38 PM
Subject: *****VW DIESEL*****

To whom it may concern,

I'm writing to voice my opinion in regards to the proposed settlement of affected VW diesel vehicles. My 2012 VW Golf TDI is one of those vehicles.

Back in 2012 I thought long and hard about what my next vehicle would be. I looked at many types of cars and chose to PURCHASE a VW Golf TDI for a number of reasons. Fuel economy, longevity and functionality to name a few.

I have some major concerns with the proposed settlement. The first being the mileage that's factored into the buyback price. TDI owners bought/leased a diesel vehicle knowing that they would be putting high mileage on their vehicle. The settlement allows for 12,500 miles per year. That is grossly underestimated. I easily put 20,000 miles per year on my car and know that many owners put way more on theirs. In speaking about the mileage, why aren't the owners factoring in their respective odometer readings as of September 2015?? This is where the "fair trade value" is taken from. The mileage and fair trade value makes zero sense. I didn't purchase this car to go through this problem down the road.

Next, I mentioned buying the car for its longevity. As you know, diesel engines are built to last. My car is easily still in the first third of its life, AT LEAST! My odometer reads roughly 90k. I'm very close to paying the car off and certainly did not anticipate having to buy another vehicle this soon. As a result of Volkswagen falsifying emissions of their diesel vehicles I need to now buy another car. I was not fortunate enough to be able to pay cash for the car up front. I have a car loan for which I pay interest on. Buying another car will bring more interest charges. Why aren't owners able to recoup the interest they may have paid? The interest paid can easily be figured out. You might say that the interest is each owners business. I would tend to agree; but VW LIED!

Lastly, why wasn't anything mentioned if something happens to my car since this SCAM was uncovered. Suppose my car gets totaled before I'm able to obtain whatever monies I can? There should be a way to show proof that my car is in good working order.

The affect on the atmosphere is an ongoing issue. It's very upsetting and alarming that VW was allowed to MAKE this all happen and to continue to pollute our planet for YEARS. Take the affected vehicles off the road now! It's been long enough! I WILL NOT BE OPTING FOR A "FIX". I NO LONGER TRUST THAT VOLKSWAGEN WILL DO THE RIGHT THING.

I propose that Volkswagen give every owner of an affected diesel vehicle 100% of the price that was paid for the vehicle, plus any interest paid AND an additional restitution. THEY LIED AND TOOK ADVANTAGE. THEIR FAULT. THEIR PROBLEM.

Please make it happen

Regards,
Phil DeCaneo
[REDACTED]

From: Ken DeFilipps
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 8:23:16 AM
Subject: Volkswagen Public Comments

Public Comment RE Volkswagen Settlement.

First, I find it absolutely abhorrent that payments have already been made to individual States – New York included - with the possibility and likelihood of further litigation from those States still possible, all while the consumers who were actually injured by Volkswagen continue to dangle in the wind. These same consumers pay taxes to these same regulatory agencies, taxes which are paid in part to protect those consumers. It seems to me the actual consumers should be first in line, not last.

Regarding the proposed settlement:

First, I paid a premium for this vehicle. I paid that premium for this vehicle with the expectation of greater mileage than is actually possible with this vehicle, and far below that which was advertised and promised by Volkswagen. Further, I paid this premium for this vehicle with the expectation that it was a “clean diesel” vehicle and that any harm I was doing to the environment was minimized by “clean diesel”. I drive over 100 miles per day. Instead, Volkswagen’s fraud has caused me to pollute our environment at levels which are at least twice the level established by the government. Every day I owned this vehicle and every mile I drive this vehicle I – and the environment - is being damaged further by Volkswagen’s fraudulent actions.

Further, Volkswagen’s fraudulent actions have severely damaged the resale/market value of my vehicle.

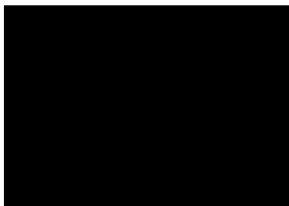
As a result of the above, Volkswagen should not be allowed to:

1. Buy back vehicles at market value. Their actions have severely lowered the market value of these vehicles. Further, I don’t need a settlement to get “market value” for this vehicle. I can trade the vehicle in and get market value – albeit a severely damaged amount due to the actions of Volkswagen. They should be forced to buy the vehicles back at sticker price, and certainly not be allowed to base settlements on market value. That is akin to allowing the fox to set the market price of eggs.
2. Volkswagen should not be allowed to base buy-back or settlement amounts on condition of vehicle. I have been a loyal Volkswagen owner since 1999. Part of the reason I buy a Volkswagen is because they last and they hold their value. I drive many miles in a year, at least 100 miles per day. Volkswagen should not be allowed to lower my settlement based on mileage which affects market value. Considering that I am damaged ever mile I drive this vehicle, I should not receive a lesser settlement for doing so. In fact, the argument can certainly be made that I have been damaged more than most, due to the amount of miles I drive this vehicle.
3. Additionally, by basing settlements on market value, you are encouraging Volkswagen to drag this out as long as they can. Each month, I lose more market value in this vehicle. I was damaged on the first day I purchased this vehicle and every day thereafter and therefore, Volkswagen should be forced to pay me what I paid for this vehicle.

Thank you for considering my comments.

Sincerely,

Kenneth F. DeFilippis



From: Bruce Dempsey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/7/2016 11:02:41 AM
Subject: VW Dieselgate Public Comment input

TO WHOM IT MAY CONCERN:

The current settlement does not take into account those of us who have taken extremely good care of our vehicles and/or who have made further investments into the vehicles. This includes, but is not limited to, those of us who

purchased extended warranty contracts (which really are only worthwhile if one keeps the vehicle for several years beyond the original manufacturer warranty).

Example: My 2013 VW TDI is in extremely good condition, with the following investments made – these investments really cannot be recouped unless the settlement takes them into account:

- OEM Mud flaps (splash guards) front & rear
- Full clear mask (“clear bra”)
 - 3M Venture Shield
 - Professionally installed
 - Front bumper – complete
 - Hood – 1/3
 - Front Fenders – partial
 - Mirror caps – full
 - Door handle cups
 - Door edges x 4
 - Door sills, front and rear
 - Rear bumper (top)
- Rear Storage Tray
 - http://www.ecstuning.com/Volkswagen-Golf_VI--TDI/Interior/Trunk/ES2608624/
- Performance front & rear brakes with anti-corrosion GEOMET coating
 - Purchased not because I drive very hard - I travel back and forth from US to Germany, and car sat for a long period of time with salt from the roads in winter, so car developed a vibration when braking due to some corrosion on rear brake rotors. Decided to invest in brake components that would resist corrosion.
 - New brake info is here: <http://www.ecstuning.com/ES2725360/>
- OEM Car Cover, complete with VW Logo
- Spare light bulb kit (some Euro Countries require this to be in your car)
- Warranty
 - Remainder of Factory 3/36 Bumper-to-Bumper Warranty & 5yr/60K mi. Powertrain Warranty
 - Extended Warranty (transferable to new owner)
 - 7 yr. / 70,000 mile Platinum warranty w/\$100 deductible per visit (Volkswagen Drive Easy Program)
 - Highest level contract available at time of purchase – covers the most components
 - End date for service contract is 29 NOV 2020 (or 70K miles, whichever comes first)

- All services performed at VW Dealerships in USA & Germany
 - Oil changed more frequently than required, always with VW approved synthetic oil
 - All service records & original window sticker in one binder that new owner may keep
 - Original 2013 VW Golf Brochure is included

Sincerely,

Bruce W. Dempsey



From: Tyler DeSpain
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 2:37:44 PM
Subject: 2015 VW Jetta buy back

To whom it may concern:

I purchased my 2015 Jetta 16 calendar days before the diesel gate scandal broke the news and ultimately decreased the value of my brand new car by approximately 20%. I bought this car due to the fact that I can average 40-45 mpg daily while commuting to and from work. I average 75 miles round trip and this car has cost me significantly less in fuel than the previous car I owned, the EXACT reason why I bought it. I do feel the words have been skewed considering the preliminary findings in April said there would be a buyback plus a "compensation" on top of the buyback cost.

I know that the choice that has to be made, is made off of limited data and maybe you as the judge do not have a TDI car that is amazing to drive so you're making all of your judgment calls off of something that you don't have personal involvement in. You need to listen to the owners, most of us bought these cars to last years and hundreds of thousands of miles. If the buyback happens in October, I will have owned my car for 13 months total and maybe 20-25 thousand miles. This is pure and utter BS. I cannot sit around and wait for a fix that may happen or may get pushed out until 2019 which is past the buyback deadline of 2018. Having only two options available is a no-go, something more needs to come out of this than what is "approved" as of right now. I hope you use your conscious and not let some other lawyers or judges help make your decisions, a lot of people are hoping you can make the right choice, so do it! Make the VW TDI owners proud and do something right that is not corrupt.

Thank you for your time.

Tyler DeSpain

From: Robert Dinkel
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/5/2016 6:58:03 PM
Subject: Comments on VW Proposed TDI Settlement

I have two issues with the proposed settlement:

1. The DOJ specifies retail replacement values. But the actual proposed settlement uses trade-in values which are a few thousand dollars less than retail.
2. Any compensation should be treated as a tax-free rebate. It is not clear if that is the case. Paying taxes on the compensation would reduce the values restitution considerably.

Thank you for taking my comments into consideration.

Robert Dinkel
[REDACTED]

Owner of 2012 VW Passat TDI SEL Premium
[REDACTED]

From: Shawn
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 5:02:26 PM
Subject: Volkswagen/Audi Settlement

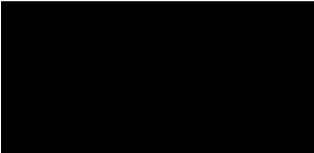
I would like to submit comments regarding the proposed Volkswagen settlement.

I purchased a 2015 Audi A3 TDI **thirteen days** before the news of Volkswagen's illegal actions was made public. My situation is not being addressed in this settlement. It is unfair to those of us who purchased these vehicles right before the scandal was made public to base the price of the vehicle on the "clean" used car value. My car was virtually brand new and had a few hundred miles on the odometer prior to the scandal breaking. In my case, you are valuing my vehicle roughly \$6-7 thousand below what I paid for it less than two weeks prior. I know vehicles depreciate a few thousand when you drive them off the lot, but not \$6 to \$7 thousand.

Please address this by creating a different tier of compensation for those owners who purchased their vehicles so soon before the news came out. I believe that Volkswagen must compensate owners who purchased their vehicles new in the weeks prior to the scandal the full purchase price, not the reduced clean vehicle value this settlement is based on. The current regime you've created for the restitution payment is acceptable and should be added on to the full purchase price for those of us who bought vehicles in September 2015.

Thank you very much for your time.

Daniel Dintino



From: Nick DiPasquale
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 1:54:24 PM
Subject: VW Settlement Feedback

Hello,

My name is Nicholas DiPasquale, and am the original and current owner of a 2010 Jetta TDI with VIN [REDACTED] purchased in May 2010. I live at [REDACTED] and my phone number is [REDACTED]

I am upset that there is no distinction between original owners that paid a higher price for VW's claims of providing a clean car compared to owners who purchased a used car. As it stands now, many used owners are actually ending up with more than they paid for the car, while owners that bought new are only receiving a percentage of what they paid.

I feel that since we have invested more money into these vehicles than used owners that we should also be receiving a higher amount of restitution. Assuming that 25% of owners are the original owners, a \$2,000 increase in their restitution would only increase the size of the payout by \$0.25B, but would go a long way towards actually making us whole.

Thank you for your time, and I hope that this is useful feedback. As it is now, there is very little chance that I would want to turn my car in for a buyback.

Nick DiPasquale

From: EMILY DOLINA
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 12:41:00 PM
Subject: VW Emmissions Settlement Comment

To Whom It May Concern –

I purchased the first generation diesel Passat in 2012 (ordered it from factory and waited 4+ months for delivery) on the basis that I was a long commuter who cared deeply about the environment and this car was not only made for long commuters, but would limit damage to the environment. Subsequently, I put at least 20,000 miles per year on my vehicle and told myself I was doing my part for the environment despite my long car trips.

As we all know now, VW lied and committed all types of criminal behavior in making these claims and in making me feel like I was being a good steward of the environment when I bought and drove their diesel Passat.

Now, VW and the class attorneys want us to part ways by paying me a settlement sum and letting VW buyback my car for TRADE IN VALUE. Though of course I would have wanted more in a settlement, I can live the amount designated, but what I can't abide by is letting VW dictate that TRADE IN VALUE is an adequate amount for buyback.

I never trade in cars and I hope you understand, never plan to own a VW manufactured product ever again. Private party value is a fair and reasonable calculation to expect, especially since VW bad acts are the entire reason for the settlement. Why should the criminal acting party get to designate the value of the car?

The diesel models were targeted to individuals, like myself, who would be putting more than the normal mileage on a car from year to year. In fact, the dealership told me not to pay the premium for a diesel model unless I was planning to put at least 25,000 miles per year on my vehicle. Now, I'm being penalized as to the buyback amount because I have close to 100,000 miles on my Passat.

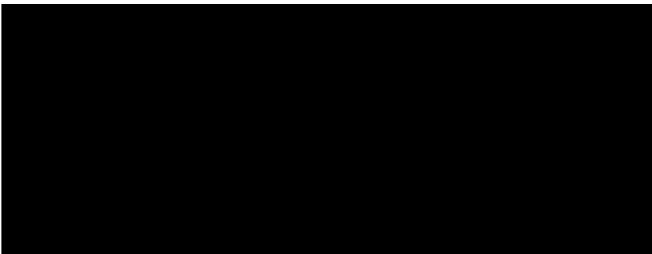
Also, I hope you are aware that owners are being contacted by VW dealerships to sell their cars back early. I am now getting calls from my local VW dealership telling me that I am eligible for a deal that will include 120% of trade in value if I will just give my Passat back today and buy a new VW model. Though I understand my dealer is separate from VW, I do understand that VW must be offering local dealers insane incentives to try to keep consumers, even those they've completely screwed, buying their products. How many times can I kindly say, I will never buy a VW product ever again? The trade in value aspect of the settlement is just insult to injury at this point. Private party value would another message to VW that need to adequately compensate defrauded American consumers.

I have tried to imagine keeping my VW and having it fixed. I'm sure I could attempt to live with the decreased power and efficiency, but last week I read that the fix is still not sufficient to meet air quality standards (See: <http://www.roadandtrack.com/new-cars/car-technology/news/a30021/vw-recall-fix-non-compliant/>). Another insult to my injury.

For these reasons, please consider the bad faith actions of VW, the deeply fraudulent tactics in targeting consumers who care about this planet, and the "deals" being offered by VW to injured plaintiffs, I implore you to require VW to pay more than TRADE IN VALUE to buy back these fraudulent VW models.

Sincere thanks for your time and consideration.

Emily Dolina, Esq.
Senior Associate General Counsel



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From: Rick Doran
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 9:13:58 AM
Subject: Settlement comment about mileage calculation

I have a comment concerning the calculation of the estimated mileage as of September 2015.

When there is an independent contemporaneous record of mileage in September 2015 then that should be allowed instead of the estimated mileage calculation.

For example my Jetta TDI had service at the VW dealer in September 2015 so the dealer's recorded mileage at the service should be used.

If someone has a record of the mileage before or after September 2015 then the mileage adjustment should use that as the base to be adjusted rather than the mileage when sold back to VW. Using the settlement estimated mileage formula penalizes people who put more than the average miles/month on their vehicle. Driving 20,000 miles per year is one of the reasons that I purchased my VW.

Rick Doran



July 6, 2016

Assistant Attorney General,
U.S. DOJ--ENRD, P.O. Box 7611,
Washington, D.C. 20044-7611.

RE: Public Comment- Volkswagen Class Action Settlement

Madame Attorney General:

I only have two comments and related questions that should be considered. One affects the derived value of vehicles and one suggests previous Volkswagen ("VW") clean-diesel Tdi owners receive a prorated settlement for the mileage they accrued during the class action period.

In the proposed settlement, VW has offered a pre-Sept. 17 Buyback Program in addition to a lump sum payment. I would like to quote the July 6, 2016, Federal Register announcement regarding this settlement:

*"In connection with the buyback, Volkswagen must pay Eligible Owners no less than the cost of the retail purchase of a comparable replacement vehicle of similar value, **condition and mileage** as of September 17, 2015, the day before the existence of the defeat devices was made known to the public ("retail replacement value").* Emphasis noted.

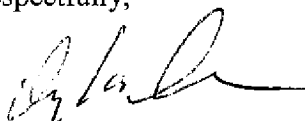
1. Based on this, how will Volkswagen and or the Court measure the accurate *condition and mileage* as of Sept. 17, 2015? It will be at least a year before the Court's Final Approval is ordered and additional delays for Volkswagen to initiate the Buyback Program down to the local dealership level.
2. Additionally, will payment be real-time and prompt or delayed over several months, leaving owners that sold their vehicles back to VW without transportation while waiting for payment?
3. Is there a process to appeal the value determine at the time of buyback? Who establishes the value? Both the NADA and KBB Buyers Guides are subjective at best.

Finally, has the Court considered VW Tdi ownership during the class action period in which the owners sold their vehicles prior to Sept 17, 2015? I purchased a new 2010 VW Jetta Sportwagen expecting a clean; environmentally-safe vehicle and subsequently purchased a 2012 VW Jetta Sportwagen because I believed in the advertising, performance, and expectations of a clean diesel. I drove 80,000 miles on my 2012 VW before I sold it in April/May 2015.

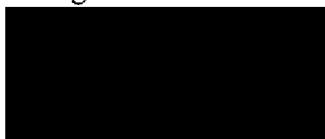
1. Will previous owners that bought and sold an affected model year Tdi during the class-action period receive a prorated lump sum settlement? If not, why not?

I look forward to the Court's response and wish you well in settling this case amicably. God Bless.

Respectfully,



Douglas R. Dorrer



From: Perry
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 5:04:37 PM
Subject: RE: info you sent on VW settlement and comment period

From: Perry [REDACTED]
Subject: **Re: Inquiry about the VW Settlement**
Date: July 17, 2016 at 2:03:21 PM PDT
To: Perry Downes [REDACTED]

Thanks so much, Jim.

I was able to submit my comments and appreciate your letting me know how to do it.

Had you not told me, I'd have had no idea that this was an option ~ let alone how to do it ~ so I'm very grateful.

Here's hoping things work out as well as possible for all concerned.

With appreciation and gratitude,

Perry

On Jul 17, 2016, at 2:02 PM, Perry <[REDACTED]> wrote:

I'm 70, on SS, and have a 2010 jetta sports wagon with 60k miles. I bought this to be the car that would last me the rest of my life.

I did not plan on buying a new car and had not budgeted for that.

So the "fix" is my best financial option. But if the fix doesn't work well, for who knows what reasons since we don't even know what it is, I'd have to get a new car.

In today's market, something comparable would cost me at least \$25k. I looked at the gas version of the car I have today (the vw golf) and that's its price.

What would make me happiest is to just trade my current car for the gas version of the VW GOLF (the gas version of my jetta) ~ with the option to pay for upgrade features if I so chose.

Or, If I choose the repair, I'd like the option of a buy-back within a reasonable time period if the "fix" turns out to not be satisfactory.

How can I have confidence in what VW does ~ and says the outcome will be?

There needs to be a safeguard for owners choosing repair.

Plus any complications arising from the repair need to be paid for by VW ~ not me as the owner ~ to ensure the car performs as I'm told it will ~ if I chose to keep it.

My preferred choice is that they take this car and trade me the VW GOLF so I'm not out any money ~ which I wouldn't have been had VW not committed fraud.

My next best financial option is the 'fix' ~ and i hope it'd be satisfactory.

But if not, **if it doesn't EXACTLY perform as I'll be led to believe it will, I feel I (and others like me), deserve recourse.**

Let VW assume the risk of fix and buy-back vs me.

THANK YOU for your consideration, your Honor.

Sincerely,
Perry Downes

From: Perry
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 5:02:01 PM
Subject: My comments on VW proposed settlement

I'm 70, on SS, and have a 2010 Jetta Sports Wagon with 60k miles. I bought this to be the car that would last me the rest of my life.

I did not plan on buying a new car and had not budgeted for that.

So the "fix" is my best financial option. But if the fix doesn't work well, for who knows what reasons since we don't even know what it is, I'd have to get a new car.

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There needs to be a safeguard for owners choosing repair.

Plus any complications arising from the repair need to be paid for by VW ~ not me as the owner ~ to ensure the car performs as I'm told it will ~ if I chose to keep it.

My preferred choice is that they take this car and trade me the VW Golf so I'm not out any money ~ which I wouldn't have been had VW not committed fraud.

My next best financial option is the 'fix' ~ and I hope it'd be satisfactory.

But if not, **if it doesn't EXACTLY perform as I'll be led to believe it will, I feel I (and others like me), deserve recourse.**

Let VW assume the risk of fix and buy-back vs me.

THANK YOU for your consideration, your Honor.

Sincerely,
Perry Downes

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 12:00:52 AM
Subject: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC)

pubcomment-ees.enrd@usdoj.gov

Karen S. Dworkin

Assistant Attorney General,

U.S. DOJ--ENRD, P.O. Box 7611,

Washington, D.C. 20044-7611

Re: Federal Register Volume 81, Number 129

Re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC)

I object to the proposed settlement with Volkswagen for multiple reasons, some of which I am outlining here:

· I do not believe owners of affected vehicles who sold their vehicle prior to the scandal becoming public should be excluded from the settlement. Why should a previous owner who owned their car for tens of thousands of miles over multiple years be excluded while someone can go out today and buy a “new” used affected vehicle and be able to participate in the class? My household previously owned a second affected vehicle; this vehicle was owned from 10/2011 through 03/2015. We purchased this second vehicle for the many of the same reasons we purchased the first vehicle (which we still own), namely the high highway mileage, the driving dynamics (v. the competition), and the advertised green credentials. Now we find out the entire sales pitch of the car was a lie and we spent tens of thousands of miles emitting up to 40x the emissions that we thought we were and this period of ownership is completely discounted? Volkswagen should be held liable for their fraudulent activity for every owner of the vehicle who bought it based on their deception, not just those who still currently own one (or go out today and buy one now that the settlement has been proposed). I have heard the argument that as the affected vehicle was sold back before news of the scandal we did not suffer economic harm due to lost value, this is a true statement; however, we did suffer harm by falling for a fraudulent sales pitch and we did suffer harm by unwittingly polluting vastly more than anticipated. Moreover, the FTC stated that they were “seeking a court order requiring Volkswagen to compensate American consumers who bought or leased an affected vehicle between late 2008 and late 2015.” Excluding consumers who sold their cars prior to the scandal announcement does not meet the spirit or plain meaning of this statement.

· The structure of the proposed settlement is tilted in favor of more recent owners. By tying the restitution payment to a percentage of the value of the car, those who more recently purchased their car are receiving a higher level of restitution. Why should someone who purchased their affected vehicle the day before the scandal was announced receive a higher level of restitution than one who has owned their car for five or more years?

Volkswagens fraudulent activity has resulted in me unwittingly producing up to 40x the emissions I was told for over 160 thousand miles. Taking aside any environmental trust payments Volkswagen may be making, the aforementioned one day owner who has potentially driven ten thousand miles or less since their purchase has somehow been harmed more than a long time owner? The level of restitution should not be tied to the value of the vehicle, it should be tied to either one or more of the following: the length of vehicle ownership, the number of miles traveled during ownership; if not a function of time or distance, the level of restitution should be a fixed value for all owners.

The proposed settlement unduly penalizes owners who have owned their vehicles longer or who have traveled a high number of miles in their vehicle. Among the reasons I purchased this vehicle was that diesel engines are known for their longevity and these vehicles were known for returning excellent highway economy. I am sure many other owners purchased their cars for similar reasons. Now that I have an older vehicle with high mileage I am faced with two options, the first is to be “forced” to sell my vehicle back, the second to keep the vehicle as is (which is not an unconscionable action now knowing the detrimental harms my vehicle is creating in the competitive market at the time of purchase). I am discounting the “fix” option as it does not seem that a fix is forthcoming. I need my vehicle for transportation. The proposed buy back could not replace my vehicle with a like vehicle. I am only half way through my predicted ownership of this vehicle (anticipated at least ten years). Now I will most likely have to sell my vehicle back for less than half of what I bought it for (half way through my predicted ownership) and will not be looking at an unexpected financial allocation to purchase a replacement vehicle. It also does not make sense that the settlement does not account for the condition of the vehicle. I understand the logistics of inspecting the condition of the vehicle when it is returned, and the fact that the condition is highly irrelevant for vehicles that are more likely than not to be scrapped. However, if this is the case, it shouldn't matter how many miles are on the car. Moreover, if I was to purchase a “like” vehicle such as a competitive product from the same time of manufacture, I would have to pay significantly more than the trade in value that is being proposed for the buyback. In fact, if my exact vehicle was for sale on the day the scandal was announced I could not purchase it for the trade in value. If the buy back value is not the original purchase price, it should at a minimum be a retail value for the vehicle with an average number of miles and clean condition. Such a value would be more likely to fund a replacement of a like model. Moreover, due to the structure of the buyback and the treatment of trade in and sales tax in my state I will have additional taxes to cover on any replacement purchase. The notice in the Federal Register even states that Volkswagen must pay no less than the cost of the retail purchase of a comparable replacement vehicle, even this does not line up with the settlement.

Volkswagen should not be allowed to implement anything less than a 100% fix (if a fix is ever approved). At this point it looks as though Volkswagen was the only one deceiving the Government and the American consumers. Why should they be “rewarded” by allowing them to implement anything less than a fix that meets the regulatory requirements to which their vehicles were originally certified. If other manufacturers played by the rules they should not be penalized by allowing Volkswagen to save funding on a fix that is less than complete. Any environmental trust payments by Volkswagen should not be considered an offset to a less than 100% fix. This fund should be looked at as part of the penalty for their fraudulent activity and should in no way allow non-compliant vehicles to stay on the road with a less than 100% fix.

Thank you,

Benjamin Doyle

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:46:05 AM
Subject: VW diesel settlement

Sir or Ma'am,

I request that VW reimburse me for the unused portion of the pre-paid maintenance that I paid for when I bought my 2015 Passat TDI. At the time of sale they offered me discounted maintenance at the dealership if I prepaid when I bought the car; I believe I should be reimbursed at a prorated amount for any prepaid maintenance that is unused, or refund the entire amount.

I would also request a full refund of the extended warranty that I purchased as I expect to turn in my vehicle while it is still under the factory warranty.

Respectfully,

William D. Driver
Owner 2015 VW Passat TDI

[REDACTED]
Sent from my iPhone

From: Philippe Drolet
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Philippe Drolet
Sent: 7/20/2016 11:57:18 PM
Subject: Comments on Volkswagen Diesel Settlement

Dear Judge Breyer,

As a Canadian customer belonging a Volkswagen (VW) Golf wagon 2.0 TDI affected by the scandal and eventually affected by the settlement done by U.S.A. Government, I would like that you consider this argument before the conclusion of the settlement:

- Any consumers that want to be able to compensate the premium of the cost of a diesel car (evaluated for VW at approx 5000\$) plus the highest cost of maintenance need to do. This table explain easily that you need to do a lot of mileage to break-even mileage.

<http://www.businessinsider.com/diesel-vs-gasoline-cars-cost-effective-2014-1>

 diesel vs gasoline car costs

lex Davies & Andy Kiersz / Business Insider

Consequently, even if VW is showing impressing numbers in terms of buyback and restitution amount, VW know that typical Diesel consumer will have important minus with mileage adjustment since they have allowed only 12,500 miles as of normal usage or to be even on the buyback price which is used for gas car since everybody knows that diesel motor last longer then gas motor. The settlement should allow an average of 20,000 miles or 25,000 miles per year to avoid penalize typical diesel customer who are doing more milage to make the purchase money wise.

As an exemple, according to FTC's Proposed Partial Stipulated Order for Permanent Injunction and Monetary Judgment Attachment 2A (Doc. No. 1607-7) (.pdf, 135 KB) found on <http://www.cand.uscourts.gov/crb/vwmdl/proposed-settlement-docs>, for our VW

golf sportwagen 2012 with approx 168,000 miles it would represent:

-\$4,950 for buyback +

- \$825 for compensation

Which represent a loss of almost \$6,000 compared to the big numbers shown by VW :

VW Jetta SportWagen TDI \$19,907 - \$22,097 \$5,807 - \$6,172

This represent a rough 30% of loss for us because we are the typical diesel customers.

Thanks for this argument into account in the settlement,

Sincerely,

Philippe Drolet

From: Chris Druckemiller
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 9:02:27 PM
Subject: Tax relief

There needs to be coverage in the proposal to assist in the coverage of sales tax on a new vehicle if a person choses to sell their car back to vw. It is not my fault that I was lied to about the car I thought i bought so then vw is buying it back and then im forced to pay sales tax on a replacement car due to not having a trade in vehicle. This clearly is not right as if i choose to sell my tdi back i will lose half my restitution in sales tax.

From: Dustin Duvall
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 11:18:54 PM
Subject: TDI Settlement Comment

Good evening,

Background: We previously purchased a new, 2012 Jetta TDI and owned until until October of 2015. We desperately needed to sell the car due to my wife's [REDACTED]. Unfortunately at that time, the 2.0L TDI scandal had been made public and no car dealer was willing to take our car on a trade in. Because of this, we were forced to sell our car at a far reduced value via private party.

Concern: As an "Eligible Seller", I understand that we are entitled to 10% (plus some additional money) of the vehicles clean trade in value as of Sept 2015, and the current owner is eligible for the other 10% (plus some additional money). Since the current owner bought our vehicle AFTER the scandal was made public, I do not feel they should be receiving any restitution from this settlement, as they knew the issues PRIOR to purchasing this vehicle. Us, on the other hand, the original owners, did not.

I feel like the eligible seller of formerly owned vehicles should be afforded the entire 20%, and current owners who purchased should not be entitled to any sum of money.

Thank you,
Dustin Duvall

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 6:23:20 PM
Subject: ww dkesel settlement

As the owner of an affected Jetta TDI, I am commenting on the proposed settlement. While in general the settlement seems ok, there is one area that is not fair to owners. When I have to go buy another car after selling my TDI to VW, I will have to purchase at a retail price. The settlement sets the re-purchase price at the 'trade-in' price. A fair re-purchase price would be the retail Blue Book price prior to announcement of the scandal.

VW committed a grievous fraud on it's customers and the public. It should not be able to repurchase it's fraudulent cars on the cheap at the expense of the people who actually believed the "Clean Diesel" fraud and became it's customers. It's not like this was some unintentional accident. It was intentional misrepresentation

Sincerely,

Richard E Ehlers
2009 Jetta TDI

From: Daniel Ehrat
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 9:34:40 PM
Subject: VW settlement consumer comments

To whom it may concern,

Thank you for accepting comments from VW diesel victims. I hope that the USDOJ has taken a very detailed look at VW's settlement proposal. Though it is a good starting point, I feel that the numbers VW has presented us continue to pull one over on we consumers. The clear issues that I see are as follows:

1. Value--VW should not be offering vehicle value from before the scandal. They should be reimbursing ALL expenses paid by the consumer. If this was a known issue at time of sale, no one would have bought these cars. I don't care about depreciation. If your new toaster gets recalled because of an issue, you don't get the value of the toaster minus 3 toast sessions. You get to return the toaster for purchase price! The consumer loses.

2. Mileage--The additional deduction of mileage is ridiculous. This scandal has gone on long enough, and the longer it takes-the more VW saves money. Like many others, I can't afford to park my car and buy a new one. The consumer loses.

3. Time--The timing and length of this entire process is shameful at best. VW obviously has no idea how to fix these cars, otherwise they would've done so during their years of cheating. Why has the US gov't given them so much time? As more and more time passes, all of our "clean" diesels continue to spew more toxins into the atmosphere. Now today a preliminary hearing gives them approval to continue to delay things further. Now we wait until October, and then who knows... We lose again.

Thank you for your time. Please reconsider VW's not-so-generous apology, and think of what consumers truly deserve after being deceived with such a major purchase. Otherwise, VW gets away with their years of fraud, and the consumer loses again.

Sincerely,

D. Ehrat

Sent from my iPhone

From: Tiffany Elliott
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 4:26:10 PM
Subject: WV Settlement

I am disappointed with the value of my vehicle. I looked into selling my 2013 Volkswagen Passat TDI SEL Premium to CarMax back in August of 2015 and even at that time it had close to 50,000 miles on it, they offered me \$19,000. This was basically a trade in value. Others were listed online for \$21,000 - \$23,000 retail. When Volkswagen is valuing the car in September of 2015 at 18,875 this seems very low. Diesel cars do not lose their value with miles like gas cars do so if this is based on mileage this is not a fair offer. Diesel cars are meant to be driven and people buy them because they drive a lot. The mileage allowance should be greater than 1040 miles per month / 12,000 per year. The vehicle return amount needs to be adjusted for this to be a fair offer.

Sincerely,
Tiffany Elliott
2013 VW Passat TDI owner

From: Eric
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 4:32:51 PM
Subject: Re: VW Diesel Settlement Public Comment

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

> On Jul 21, 2016, at 4:28 PM, Eric <[REDACTED]> wrote:

>

> Dear Assistant Attorney General,

>

> Thank you for accepting my public comment. I am an original owner of a 2012 TDI Passat, purchased in the fall of 2011. I have two concerns: the intentional nondescript purpose of the "cash payment" and how Volkswagen's fraud can be settled.

>

> I am concerned about the purpose of the cash payment Volkswagen will make to each affected consumer. I have not been able to find a reason or description of the purpose of this payment in any of the official documents or in news reports. I have also called Volkswagen at 1-800-822-8987, but I was told there is no one that can give me that information.

>

> How can I consider the terms of the settlement without knowing what they are? If the cash payment is an apology, then why do owners of newer cars get more? Instead, shouldn't the owners to which Volkswagen lied the longest, who have older cars, get more? It sounds like it is not an apology, but it should be.

>

> From promising Clean Diesel over and over, to then duping their TDI consumers into serious pollution for years, I do not feel that Volkswagen cares for their consumers. We are emotionally distressed over being, literally, defrauded and should be made whole again. The only way to do this is to refund our purchase price, nothing more, nothing less.

>

> Thank you for your time.

>

> -----

>

> The above is my anonymous, public comment. Please take my comment to heart, and please write me back.

>

> Sincere thanks.

>

> P.S. Where can the public comments be viewed?

From: Eric
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 4:28:19 PM
Subject: VW Diesel Settlement Public Comment

Dear Assistant Attorney General,

Thank you for accepting my public comment. I am an original owner of a 2012 TDI Passat, purchased in the fall of 2011. I have two concerns: the intentional nondescript purpose of the "cash payment" and how Volkswagen's fraud can be settled.

I am concerned about the purpose of the cash payment Volkswagen will make to each affected consumer. I have not been able to find a reason or description of the purpose of this payment in any of the official documents or in news reports. I have also called Volkswagen at 1-800-822-8987, but I was told there is no one that can give me that information.

How can I consider the terms of the settlement without knowing what they are? If the cash payment is an apology, then why do owners of newer cars get more? Instead, shouldn't the owners to which Volkswagen lied the longest, who have older cars, get more? It sounds like it is not an apology, but it should be.

From promising Clean Diesel over and over, to then duping their TDI consumers into serious pollution for years, I do not feel that Volkswagen cares for their consumers. We are emotionally distressed over being, literally, defrauded and should be made whole again. The only way to do this is to refund our purchase price, nothing more, nothing less.

Thank you for your time.

The above is my anonymous, public comment. Please take my comment to heart, and please write me back.

Sincere thanks.

P.S. Where can the public comments be viewed?

From: Bart Erickson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 4:44:21 PM
Subject: VW diesel settlement

The value for turning in my diesel should be retail value rather than trade-in value. I can't buy a replacement used car for trade-in value. Car dealers charge retail. Also miles should not be based on the miles when I turn in my car. Miles should be based on estimated miles in Sept 2015, the date when the news became public and resale values began decreasing.

Bart Erickson



Sent from Mail for Windows 10

From: Bart Erickson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/30/2016 9:31:46 AM
Subject: VW Diesel Settlement Comment

VW isn't giving full retail value. The value of the buyback and additional restitution is determined from NADA Book trade-in value, which is essentially wholesale. Why does this trade-in value proposal exist when it clearly contradicts the agreement laid out in the 225-page Partial Consent Decree posted on the FTC's website that, in part, reads:

IV. PARTIAL INJUNCTIVE RELIEF A. Buyback, Lease Termination, and Vehicle Modification Recall Program (Appendix A) 9. Settling Defendants shall implement the Buyback, Lease Termination, and Vehicle Modification Recall Program in accordance with the requirements set forth in Appendix A as one element of the remedy to address the Clean Air Act and California Health and Safety Code violations. 10. Settling Defendants shall remove from commerce in the United States and/or perform an Approved Emissions Modification (as described in Section IV.B) on at least 85% of the 2.0 Liter Subject Vehicles as set forth in Appendix A. Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle the option of the Buyback of the Eligible Vehicle at a price no less than Retail Replacement Value, or the Lease Termination in accordance with the terms specified in Appendix A.

How is trade in value the same as "no less than Retail Replacement Value?" Will VW open a special online vehicle sales marketplace where TDI owners will be able to take their buy-back check and purchase a replacement vehicle at wholesale, trade-in value?

And, what about the sales tax credit every owner will lose? Typically that has been the only advantage to ever trade in your car when buying a new one, the simple fact that depending on your states sales tax rate, that you are exempt from tax on whatever the trade amount is. That is a savings of 5 to 9 percent on top of whatever you get for your trade. For example if you get a \$27,000 trade credit and your tax rate is 7.95 percent you save \$2,146.50 in tax on your new car. Meaning your net trade amount is actually \$29,146.50. But TDI owners aren't trading in: they are selling outright to VW. Then they have to get a replacement vehicle. At retail. With full sales tax.

Sent from Mail for Windows 10

From: David Ernst
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 4:24:32 AM
Subject: VW TDI settlement

I own a 2011 TDI Jetta JSW.

I disappointed in the amount of the settlement. It is not only too low, it doesn't recognize losses of additional items purchased for the car. I have over \$1K in addition expenses in my car for which there will be no compensation.

Tinted windows \$250
WeatherTech Floor Mats \$250
Wispar roof rack \$350
Ross Tech Programming cable w/software rights \$350
LED lighting \$100

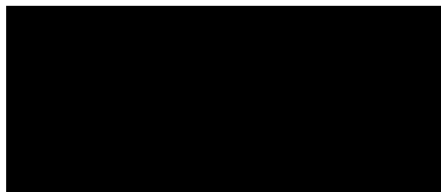
I cant sell the tinted windows and it would be difficult to get a fair price for the other items.

I'm 48 years old and I have never made a car payment in my life. I have always paid in full for my vehicles and the VW JSW was the first new car I ever purchased-cash for \$29K. My wife and I have daily drivers and didn't even need this car. It was a third car for extended road trips because of the mileage and low emissions. It has always been kept in the garage and properly maintained. I keep cars until the wheel fall off and I wasn't worried about the depreciation of purchasing a new car. In fact, I purchased my 2011 at the end of the year when the 2012s were already on the lot. Since the 2011 and 2012 were the same mechanically and looked identical, I didn't mind having a one year old car the day I purchased it. People who keep cars a long time usually don't worry about short term depreciation.

I looked at the settlement numbers and it appears I will get around \$20K when this is all done. I will still have to come up with another \$10K to purchase a comparable vehicle. I feel like I'm taking a loss in this deal and \$25K for my vehicle would be a fair price. I'm planning to opt for the fix if it doesn't reduce performance and mileage.

Sincerely,

David Ernst



From: Mark Erstling
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Mark & Jean
Sent: 7/15/2016 10:00:46 PM
Subject: Comment on VW Settlement

I am writing to comment on the proposed settlement of the Class Action Suit filed against VW. I do not believe the consumer is being made whole if the numbers presented on your website hold. The fact that VW willfully defrauded thousands of their customers and lied to state and federal agencies about the performance of their diesel engines demands that all those harmed be compensated at 100% of what they paid for the vehicle. Additionally the settlement should include sales tax paid. Then a reasonable penalty applied on top of that probably in the range of 25% of the new car value would be appropriate.

For those of us who hired attorneys to pursue our rights through the courts there is no way we can accept this settlement. The payouts should include covering reasonable legal expenses incurred. Without this we will likely pursue this through individual lawsuits in our state courts making it more difficult to reach the target of 85% participation.

Thank you for the opportunity to comment.

Mark Erstling
Owner 2012 VW Golf TDI

From: stefan eulenstein
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 12:45:09 AM
Subject: Buyback values for 2015 vehicles

To whom it may concern,

As an owner of a 2015 Golf TDI, the buyback values for the 2015 vehicles in the VW buyback settlement are completely unacceptable. To quote Exhibit - 1, Benefits:

"Eligible Vehicles for which no value was published by NADA as of September 2015, derived by multiplying 0.717 by the MSRP for each individual vehicle, as indicated on the list of all owned and leased vehicles provided by Volkswagen, dropping any fractional amount, and then adjusting each Base Value for options. The 0.717 figure represents the ratio of average September 2015 Clean Trade values to average MSRPs for MY 2015 Passats."

Using the average 1-year depreciation of a **different**, more expensive luxury vehicle to determine the 1-year depreciation of a different, less expensive commuter vehicle is completely unacceptable. It is common knowledge that more expensive luxury cars depreciate more when taken off the lot, but this is simply not the case for cheaper commuter cars that inherently hold their value better. To say that a 2015 Golf or Jetta lost 28.3% of its value as it drove off the lot is simply ridiculous. This calculation returns a September 2015 value of my car of \$17,320 even though I bought just two months before for \$24,230. This is simply an outrage. I could get more for the car today if this scandal hadn't broke. Explaining that you have arrived at that value by using the depreciation values for another VW car not even in the same class is insulting. Volkswagen should be forced to either use average depreciation values of all cars in the same class, or they should use the industry standard of 19% first year depreciation.

Thank you for your Consideration.

Stefan Eulenstein

From: kenny f
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 2:07:58 PM
Subject: Question/concern

I'm a owner of an affected vehicle and the estimated buyback of my car doesn't exceed the value of the current loan I have on my car therefore I would owe me bank money after I accept the buyback what is in place to where I don't have to pay and Volkswagen covers the extra amount ?

Sent from my iPhone

From: Connie Farris
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/30/2016 2:22:40 PM
Subject: VW Buyback Option below proposed settlement

Besides the diesel issue in the news, VW also overestimates its mpg both in advertising and the in car calculator. I calculate my mileage with every tank and found the car to report a minimum of 2mpg better than what I actually got, up to 7mpg. So, I don't have a lot of faith in VW at the moment.

I had the court documents for what I could expect for my car in hand when I went to the claims.vwgoa.com/#/case site to file my claim. The vehicle return amount the calculator gave me was about \$4,000 lower than the minimum the court documents said they would be. My car is not a base model, so I expected that I would be a little lower than mid-range in the trim model for my car. I called the 844-98-claim number given and she said there were a lot if variables that could effect the amount such a mileage and condition. My car is in top condition and only has 13,000 miles on it after almost a year. If an amount was to be taken off for the 500 miles over in a year, I would expect it would be taken from the cash portion as the court documents said.

Here are the specifics:
 Cout documents


2015	VW Beetle Coupe TDI	\$24,156 - \$31,686	\$6,515 - \$7,770
	VW Beetle Convertible TDI	\$27,937 - \$33,535	\$7,145 - \$8,128
	VW Golf Hatchback 4D TDI S	\$21,806 - \$26,700	\$6,123 - \$6,939
	VW Golf Hatchback 4D TDI SE	\$24,022 - \$29,306	\$6,493 - \$7,373
	VW Golf Hatchback 4D TDI SEL	\$24,022 - \$31,728	\$6,493 - \$7,777
	VW Golf SportWagen TDI S	\$24,043 - \$28,588	\$6,496 - \$7,254
	VW Golf SportWagen TDI SE	\$26,282 - \$30,743	\$6,869 - \$7,613
	VW Golf SportWagen TDI SEL	\$24,022 - \$32,876	\$6,493 - \$7,968

VIN: [REDACTED]

Mileage: 13032

Condition: Excellent

Reference number: 160773065

	Vehicle Buyback	ESTIMATED TOTAL	\$29,956.73
	Vehicle Return Amount		\$22,475.00
	Additional Restitution		\$7,481.73
	Amount Paid to Your Lender:		-\$26,000.00
	Amount Paid to You		\$3,956.73
	Projected Mileage at Return		15001 - 20000
	Tentative Return Date		11/01/2016

If this is legal, I am fine with that, but I want to make sure that VW is following the terms of the court agreement as

laid out and not trying to circumvent the system again.

Thank you!

--

Connie Farris

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 10:10:14 AM
Subject: Early TDI Cheerleaders getting screwed

I bought my 2009 TDI sportwagen due to ads and articles I saw touting it "green car of the year". It was in my all favorite earth savvy magazines, so I decided to take the leap and buy a fully loaded TDI when my current Jetta was having issues passing emissions tests. I smugly parked my new "marvel" in environmentally friendly parking spots, and told everyone about the green benefits and new technology in my ride. Thinking it a wise investment and planning to have the car for 12-15 years, I paid it off aggressively, sending double payments for the last year I had the loan. Now I'm set up to only get "trade in value" and being dinged for actually driving it, and am going to lose my shirt getting into a similar used car when all is said and done. I didn't choose this, was flat out duped and was sold (and maintained) something at top dollar that I thought I would get double the usage out of than I now will. I urge the lawyers and the judge to use "fair value" not trade in value, and to potentially apply a more realistic mileage per year allowance on these buybacks. I'm still going to ultimately lose, but it will leave less of a scar.

Thank you for your time.

Sincerely,
Melissa R. Fedorczyk

Sent from my iPhone

From: Kelley Feeley
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 11:28:59 PM
Subject: settlement

To whom it may concern:

I am and owner of a 2012 jetta sportwagen- while overall I feel the terms of the settlement are fair, I do think the buyback price should be based on the private sale bluebook value as opposed to the trade- in- value. I have never traded in any of the vehicles I have owned, and have always sold them privately. If the scandal had not happened and I were to sell the car, I would have sold it privately.

Thank you for your time,

Kelley Feeley, M.D.

From: Finis Thomas
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:02:33 AM
Subject: VW Scandal Comments

To Whom It May Concern;

The ridiculous thing about this is that the first reports were stating that it will cost VW close to 10.3 BILLION dollars with the majority of it going to the consumers. If you round up, there are 500,000 cars affected, and if you give ALL of the owners the max, \$7,000 (reported at the time); that only comes to \$3.5 Billion. Where is the other \$7 Billion going? 3.5B is a far cry from the majority going to affected users.

The government is cashing in on this and giving the people scraps. Yes, 7K (at the max) is nice, but don't forget about taxes. So the government is taking some of that as well. If you're one of the lucky few to receive 7K, you'll get around 4-5K after taxes, depending on where you live. Now, I can't speak for all TDI owners, but I've recently had a rash of problems with mine. Particularly the Diesel Particulate Filter.

Specifically, in the past 2 weeks, I've had the check engine light come on 3 times. Each time, taking my car into VW to fix it. Each time, the light came back on the very next day, for the same code. Unfortunately, I had to take days off of work for this. VW finally gave me a loaner vehicle. That's somewhat alright, but I purchased a TDI SPECIFICALLY for the clean emissions and MPG. Considering I have a 2 1/2 hour commute, each way, every day, putting me into a Subaru Forrester put a dent in the wallet filling up the tank everyday. Not to mention the dent from having to take days off prior to the loaner. The car is currently still in the shop, so there's no telling if replacing this filter is actually going to fix it.

Which begs the question. What all is this "bypass software" affecting. If my car is not hooked up to an emissions machine, it's pumping out up to 40x the limit. Is this what is causing my filters to clog? Is this causing O2 sensors to prematurely go bad? How are the various sensors in the vehicle dealing with all of this extra "stuff"? Have they been tampered with as well as to not set off check engine lights? If not, do they work? Will they detect when something is actually wrong?

I'm sorry, but 4-5K is not worth all of that.... For those owners that have paid off their vehicles, VW should offer to buy them back at pre-scandal value on top of a cash pay-out and for those owners that still have a car payment, paying that off for them first, then offering to buy back at pre-scandal value on top of a cash pay-out is a beginning.

But only a mediocre beginning. If you purchased a new fully loaded Jetta TDI in 2014 for around 32K, you most likely still owe around 20K today. KBB on that same vehicle is significantly less than 20K, so if VW merely offers to buy back, you would still owe the bank some money to pay off your loan, most likely MORE than what you would receive from your cash pay-out. So, you're already in the hole. NOW you have to find a new vehicle, and start payment all over again. And VW is hoping that you go back to them.

In this scenario, the consumer is not making out at all for any of the aggravation, pain, loss of whatever (in my case time, money, and possible health issues), etc..., as a result of VW's blatant lying, deception, and false advertisement. However, as shown above, the government is making out hand over fist. Not just from VW, but from the Consumer through tax. This is an absolute tragedy.

The 10.3 Billion should go solely to the affected consumers, approx. 20K each, and the government gets their share the old fashioned way, through taxes. That would still net them approx. 4 Billion. VW should then pay off all car loans for affected vehicles, and once that is done, offer to either buy back the cars at pre-scandal values or fix them, consumers choice.

This leaves the consumer with approx. 14K plus the value of their car, in their pockets (enough to purchase a suitable replacement vehicle) OR approx. 14K in their pockets and a paid off vehicle that meets EPA standards, albeit, most likely with lower HP and MPG.

In my opinion, the best/only way forward, but we all know the government is entirely too greedy to be satisfied with 4 Billion resulting from something that effected them in no way. Effecting only the consumer, and would still be an unseen issue if not for some independent tests from some curious people.

V/R

Frustrated Jetta Owner

Finis Thomas

From: Joseph Fiorello Jr.
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 11:24:18 PM
Subject: 2013 Passat tdi se

The buyback for the NE Passat SE TDI for 2012 is \$19,997. The buyback for NE Passat TDI SE I4 for 2013 is \$22,607. An increase of \$2,610 from 2012. The buyback for the NE Passat SE TDI I4 for 2014 is \$27,167. An increase of \$4,560 from 2013. A study provided by KBB suggest the car values at the time of the scandal were: 2012 = \$16,979, 2013 = \$19,378 (\$2,399 diff.), 2014 = \$21,697 (\$2,319).

It would seem VW is using an unfair value for 2013 specifically in reference to kbb study as to the difference in value between a 2012, 2013 and 2014. This very much feels that VW understands the extent of their sales in 2013 and has found a way to reduce the cost structure of the settlement by under paying 2013 car holders specially.

In addition, the suggested total buyback when using the study by kbb would be approx. 2012 = \$16,979 fair market value + \$5,822 compensation = \$22,801; 2013 = 19,378 fair market value + \$6,257 compensation = \$25,635; 2014 = \$21,697 fair market value + \$7,017 compensation = \$28,714.

While I am not privy to the exact fair market value assessment being used it would appear VW is using a deflated value or maybe a trade in value, and most concerning is that it treats 2013 owners unfairly.

Sincerely,
Jay Fiorello

From: Lisa Flores
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 8:36:05 PM
Subject: VW Emissions Settlement - Public Comment

Hello,

I am an owner of a 2011 VW Jetta TDI that I (excitedly) purchased in July of 2015. While I am very disappointed regarding the outcome of events, my concern with the buyback settlement as proposed is that it does not seem to address how to return the car to the dealership and who will be responsible for paying that cost.

I am located in [REDACTED]. There are no VW dealerships in my city, and there are no roads connecting [REDACTED] with the rest of [REDACTED]. I purchased my Jetta from a dealership in Seattle, WA, and like most residents of [REDACTED] who get their car from outside, I had to barge my vehicle to town. The cost for barging the car was just under \$1,400. If I have to pay an additional \$1,400 to return the car to the dealer for the buyback and then another \$1,400 to get my replacement vehicle to [REDACTED], I have paid almost \$4,200 just in shipping costs.

The other option would be to take a ferry to Haines (\$142) and then drive 1,712 miles through [REDACTED] - adding over a month's worth of miles to my vehicle and thereby decreasing the buyback value of the car - not including gas and lodging and the value of my time to drive it to WA. I suppose I could drive the car north to a dealership in [REDACTED]. That trip is only a ferry ride (\$142) and 848 miles, but October is winter time in [REDACTED] and that trip could be treacherous. As you can see, there are really no good options except for VW to pick up the round trip costs for bringing and returning the VW to the dealer.

While my case is a little on the extreme end, I am not the only TDI owner in this town who incurred the shipping costs under the belief that their VW would stay here until it had reached the end of its useful life. Please include shipping costs for returning the car in the settlement if the car is more than a specific number of miles from the dealership.

Thank you.

Sincerely,
Lisa Flores

From: Elizabeth Ford
To: ENRD, PUBCOMMENT-EES (ENRD); [REDACTED]
Sent: 8/3/2016 2:34:16 PM
Subject: VW MDL comments
Attachments: VW_MDL_concerns_20160803.docx

August 3, 2016

To Whom It May Concern,

My husband and I are the owners of two VW TDI vehicles affected by the diesel emissions scandal and class action lawsuit:

2012 – Jetta SportWagen TDI w/
DSG Transmission
Panoramic Sunroof
Navigation
Backup Camera*
17" Alloy Wheels
TDI Monster Mats
Heavy Duty Trunk Liner
CarGo Blocks
Splash Guards

2013 – Passat TDI SE w/
DSG Transmission
Sunroof
Navigation*
Backup Camera*
TDI Monster Mats*

* Indicates VW branded upgrade not installed by the VW factory

From the "EXECUTIVE SUMMARY OF PROPOSED CLASS SETTLEMENT PROGRAM":

"If a Class Member who owns a car chooses a Buyback, the price Volkswagen will pay for that car is the September 2015 National Automobile Dealers Association ("NADA") Clean Trade In value of the car adjusted for options and mileage ("Vehicle Value"). This figure is the value of the car in September 2015, before the emissions accusations became public. Owners receive their Vehicle Value, plus an additional cash payment ("Owner Restitution"). The Owner Restitution payment is calculated at 20% of the Vehicle Value plus \$2,986.73." and

"The amount you will be offered depends on whether you choose a Buyback or an Approved Emissions Modification and your car's model year, model, trim level, and factory options."

I have three main concerns with the buyback value:

1.

My 2012 and 2013 model year TDI's experienced high (albeit expected) depreciation in the first 2-3 years (before the scandal became public) and we had no intention of TRADING them in at that time. My last car sold before purchasing the 2013 Passat was 10 years old, and we sold it via private party, not trade in. Using trade-in value benefits VW, but is not a fair way to value a car we had no intention to sell, let alone trade-in at the time the scandal became public.

2.

We installed VW branded backup cameras in both cars and upgraded the radio/display unit in the 2013 Passat to the RNS 315 Navigation radio. While navigation is included in the NADA evaluation of vehicles to determine value, the settlement document says only "factory options" will be considered. These are original VW parts and had we totaled either vehicle in an accident before the scandal broke in September 2015, our insurance company would have paid the fair market retail value of my car (not trade in value) and they would have increased those numbers with consideration for the navigation in the Passat and the backup camera in both vehicles. The current proposed settlement clearly does not assess fair market value to either of my vehicles.

The mileage adjustment is designed to benefit VW as this drags on. These cars were marketed to high mileage drivers. I still have my brochure from the 2013 Passat TDI and it says:

"Miles ahead.

Don't you just love our charts and graphs? We know we do. Our TDI Clean Diesel engine gets 43 highway miles per gallon and up to 795 miles on a single tank* - that's more than any other passenger car on the road. All without sacrificing one bit of turbocharged performance. You could call that better than the other five cars on this chart. We call that a clean sweep."

Is it safe to assume that they expected their drivers to use only 1,024 miles per month with their ads targeting drivers who need the highest miles per tank in the industry?

According to VW dealer service records the mileage on my 2013 Passat was as follows:

50,973 on 7/13/2015

69,611 on 5/25/2016

With these data points, I can see we are driving an average of 1,788 miles/month.

Assuming this rate remains unchanged until the buybacks begin, our mileage should be:

$50,973 + (1788 \times 15) = 77,793$ on 10/13/2016

Using the mileage adjustment guidelines from the FTC documents, the proposed settlement estimates my September 2015 mileage as:

$77,793 - (1024 \times 13) = 64,481$ (-\$2,100) for 2013 Passat

Using the mileage from the 7/13/2015 service date, + my actual rate of use my September 2015 mileage should be closer to:

$50,973 + (1788 \times 2) = 54,549$ (-\$1,170) for 2013 Passat

There is a big discrepancy in the mileage adjustment value for a 2013 Passat with 54,549 (-\$1,170) miles vs 64,481 (-\$2,100) miles in September 2015. I do not believe that we should lose an extra \$930 (or more depending on how long it takes to get the buybacks processed) simply because the court is permitting a mileage adjustment calculation that does not accurately reflect my mileage at the time the scandal broke.

References: FTC attachment 1A and FTC attachment 2C

In summary the values for my two vehicles as proposed by the settlement are:

2012 – Jetta SportWagen 4D TDI w/ Navigation & Sunroof and 99,594 miles as of October 2016:

Modification Compensation = 5762 or

Buyback = 19637 = 13875 (trade-in) + 5762 (compensation)

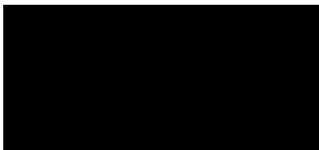
2013 – Passat Sedan 4D SE TDI I4 w/ Sunroof and 77,793 miles as of October 2016:

Modification Compensation = 6012

Buyback = 21137 = 15215 (trade-in) + 6012 (compensation)

My actual replacement cost for either car at the time the scandal broke (equipped with a backup camera & navigation) plus the actual mileage at that time is far higher than the calculated trade in values proposed by this settlement. With no approved fixes yet available, and no guarantees that there will ever be approved fixes for either car, the buyback is currently the only option available for consideration. When the only option is an undervalued (for reasons expressed above) buyback, the current proposed settlement does not appear fair to me.

Sincerely,
Elizabeth Ford



Elizabeth Ford



August 3, 2016

To Whom It May Concern,

My husband and I are the owners of two VW TDI vehicles affected by the diesel emissions scandal and class action lawsuit:

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market retail value of my car (not trade in value) and they would have increased those numbers with consideration for the navigation in the Passat and the backup camera in both vehicles. The current proposed settlement clearly does not assess fair market value to either of my vehicles.

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References: [FTC attachment 1A](#) and [FTC attachment 2C](#)

In summary the values for my two vehicles as proposed by the settlement are:

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 - Modification Compensation = 5762
 - Buyback = 19637 = **13875 (trade-in)** + 5762 (compensation)
- 2013 – Passat Sedan 4D SE TDI I4 w/ Sunroof and 77,793 miles as of October 2016:
 - Modification Compensation = 6012
 - Buyback = 21137 = **15215 (trade-in)** + 6012 (compensation)

My actual replacement cost for either car at the time the scandal broke (equipped with a backup camera & navigation) plus the actual mileage at that time is far higher than the calculated trade in values proposed by this settlement. With no approved fixes yet available, and no guarantees that there will ever be approved fixes for either car; the buyback is currently the only option available for consideration. When the only option is an undervalued (for reasons expressed above) buyback, the current proposed settlement does not appear fair to me.

Sincerely,

Elizabeth Ford

From: Patrick Fox
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 7:18:32 PM
Subject: FW: Comments Re: VW Settlement

From: Patrick Fox [mailto: [REDACTED]]
Sent: Tuesday, July 12, 2016 6:16 PM
To: 'pubcomment-ees.enrd@usdoj.gov.' <pubcomment-ees.enrd@usdoj.gov.>
Cc: Cynthia Fox ([REDACTED])
Subject: Comments Re: VW Settlement

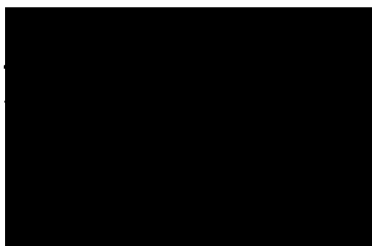
My wife and I are the owners of a 2014 VW Beetle Convertible TDI with the 2.0 diesel engine covered by the settlement. I have three comments:

1. VW should be required to buy back my VW at the NADA Clean Retail value as of 9/17/15, adjusted for mileage and specific options on my car. I purchased this car new about 15 months earlier at its full retail value and I believe that VW should pay me the retail value, not the trade-in value. VW is the bad actor here and should not get the benefit of the approximately \$3,000 difference between the retail value and the trade-in value.
2. The buy-back price should be calculated including all options installed on the car at the time of purchase, not just the factory-installed options. There are several hundred dollars in VW dealer installed options on the car in addition to what VW installed at the factory. The proposed settlement states that the buy-back offer will include only factory installed options. VW decides which of its options are to be installed at the factory, and which are to be dealer installed, not the customer. Why should the customer be deprived of compensation for some of the VW options the customer purchases simply because VW directed that these options be installed at their dealership?
3. If a customer can prove the mileage on their car as of 9/18/15 and the use of that mileage data in calculating the buy-back results in a higher buy-back price, then the customer should get the benefit of that higher buy-back price. Similarly, if the customer can prove the published NADA Clean Trade-In Price on 9/18/15 was higher than the NADA Clean Trade-in Price being used to calculate VW's buy-back offer, then the customer should get the benefit of that higher price. The same should apply if the buy-back is based upon the NADA Clean Retail Price. On 9/18/15 when the news first broke about this situation, I took a dated photo of my odometer on my cell phone, and then using that mileage and the options on my car, I printed off the value of my car on 9/18/15 from both NADA and Kelly Blue Book.

Thank you for your efforts on our behalf.

Sincerely,

Patrick Fox



From: Kathy Frenchu
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 1:04:41 AM
Subject: VW TDI Diesel Settlement Not Compensating for VW TDIs That Fail Inspection

Hello Assistant Attorney General, U.S. DOJ—ENRD,

Please consider my comments during this public comment period relating to US DOJ's recent preliminary approval of a settlement with VW on their diesel emissions violations case. The settlement does not fairly compensate those of us who cannot get our VW TDI diesels to pass state auto inspection, due to excessive emissions that passed through and deteriorated our VW TDI filters. In my case which I found to be the same as a 2nd VW TDI owner who had same issue, both VW TDI diesels had emissions damage to the car's filtering system, and both of our estimates from VW dealers were over \$6000.00.

I'm the owner of a 2009 VW Jetta TDI diesel which failed NJ state auto inspection in June 2016 for an emissions related failure which is due to the excessive emissions these cars produce which degraded the car's particulate filter, setting off On-Board Diagnostic Code P0401 ('Exhaust Gas Recirc. Flow Insufficient Detected' per VW's log, and this code triggers Malfunction Indicator Light-MIL). I have a copy of Reydel VW's written estimate which is \$5838 plus tax. Reydel VW dealer checked my VW TDI and gave written diagnosis: "P0401 Particle filter and EGR filter soot level diagnosed with 5052 & GFF, Visual Inspection and Technical Check." The dealer advised me the high cost is due to 2009 TDI having 4 filters as 1 part - particulate, NOX, EGR & Sulfur filters. I paid \$100 to VW dealer to diagnose this; however I refuse to pay another \$6000+! My 2009 Jetta TDI had 84,711 miles when it was failed by NJ for emissions in June and NJ does not make any inspection exception for VW diesels. We're trying a private mechanic to see if any way to clean filters, and meanwhile I'm without a car until this is resolved.

If desired I can provide a copy of NJ auto inspection report which shows reason for inspection failure including explanation as:

"Overall Emissions Result: FAIL...MIL Command Status: FAIL"
"OBD System-Diagnostic Trouble Codes Present...P0401"
"...this vehicle has failed due to a problem with the pollution control system"

Please consider options such as additional compensation from VW on top of amounts in preliminary VW settlement, especially for owners of cars which failed inspection due to excessive emissions clogging filters. I'll opt to sell my 2009 VW TDI back although we heard the earliest buyback may be Nov. 2016, and I feel that I should be compensated for added expenses in the meanwhile - for loss of use and repairs.

I can discuss this inspection issue. My Home number is [REDACTED] or Cell [REDACTED].

Thanks for doing whatever you can to help the environment & consumers!

Regards,
Kathleen Frenchu



From: Andy Garlikov
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:50:36 PM
Subject: Comment on VW settlement

To the Court,

I am a former owner of an affected vehicle -- a 2009 VW Jetta TDI.

I object to the division of money as pertains to owners who sold their vehicle between the revelation of the problems and the date of the settlement.

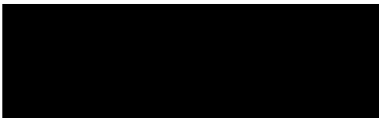
I had to sell my Jetta in April, when problems with the exhaust sensors prevented me from being able to pass inspection and complete my annual registration with the California DMV. The cost to attempt to fix the problem would have been over \$2,000, so instead of taking a chance that it would work, I traded in my vehicle to buy a new car. I only was able to get \$2,900 as trade-in value.

Now, I see that people who bought affected vehicles split the benefit of the \$5,250 (punitive) payment in the settlement. I understand why VW is proposed to buy back all vehicles, but why would the court *further* reward people who speculated on a settlement by buying up vehicles cheaply?

These buyers knew exactly what they were buying, so it make no sense that they should receive cash earmarked to compensate owners whose cars lost value. Why reward that speculation beyond paying full value for the affected vehicles, when those speculators are profiting handsomely already because they bought cars for below value and can easily sell them back above value?

Thank you for considering this as you decide whether to make any changes to the proposed settlement.

Regards,
Andrew Garlikov



From: Terry Gemeiner
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 4:10:32 PM
Subject: Comment On VW Dieselgate Settlement

To Whom it May Concern

My comment on dieselgate settlement

History

I had previously done a lot of research & purchased a 2010 TDI Jetta. I liked the car and was satisfied I had made a good purchase as far as a car I would be able to keep for a long time.

After an unfortunate dealer oil change experience I was left with a car I didn't trust any more (details upon request).

I decided with further research the VW TDI would still be a good long term purchase (especially since they appeared to have updated the emission controls & eliminated the turbo lag) so I traded the Jetta in for the 2012 Passat TDI SEL I currently own. In it's present form I can honestly say this is one of the better cars I have owned aside from maintenance cost.

I had Planed to drive the wheels off this car.

And Then Came Dieselgate!

From day one on my test drive I have been asking the dealer & service dept. about the emission controls (eg ad blue etc) on this car. I have YET to get any solid answers to ANY of my questions & I now possibly know why.

Comment

I now have a near perfect 2012 Passat TDI SEL with low miles AND 3 (as I understand it) options.

1) To continue to drive it as is.

This option is attractive as I'm happy with the car in it's present form BUT it will still be spewing un-necessary pollution. My conscious doesn't like this & there is NO guarantee that if the cars emissions need repair down the road that it can or will be repaired in it's present form (without the fix).

I also have no guarantee my state (ohio) won't stop me from continuing to drive the car. (I know there are agreements BUT who knows)

I don't consider this a viable option with present available knowledge.

2) Sign up for the fix

I don't know what the fix is or might be. I don't know what its going to do to the cars drivability or MPG. I don't know what it will add in additional maintenance, ad-blue consumption etc etc. Even though additional warranty coverage may be added I don't like the thought of spending un necessary time in the service dept..

I don't know that the fix won't cause more problems in time.

I don't consider this a viable option with present available knowledge.

3) I let VW buy back my car (the wording is on purpose)

The ONLY viable option as I see it given present available knowlege.

I have run the numbers (from the proposed settlement) & I'm torn.

On one hand I think the buy back is more money than I would probably be able to get thru trade in or private sale (especially now with dieselgate)

& I have gotten SOME use out of the vehicle BUT is it fair? Again I'm torn.

The car that was sold to me has turned out to not be the car I bought.

It will cost me thousands over the buy back dollars to replace the car I have, not just the money I still owe on it (approximately \$4000) but the difference in the price of equivalent cars now plus tax on the difference. The worst part being that its going to cost me money because VW knowingly broke the law.

Whatever car I get to replace mine will be a gasoline engine. lower MPG, lower torque, lower life expectancy etc. Many things I wanted to get away from owning a diesel.

So this may be the best of the 3 options as far as I can tell right now but is any part of this fair I don't think so! especially when it's going to cost me money for someone else transgressions & I in no way knowingly bought into this problem.

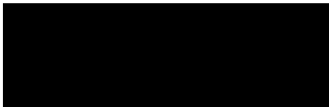
I could go on but in closing the buyout is likely the best of what I see my options to be right now. Am I happy with any part of the situation I'm being presented with no! Unfortunately whats transpiring from VW's INYENTIONAL MISTAKE has become or is becoming the norm in the auto industry. I'm a consumer & we typically can expect to get the wrong end of the stick when it comes to purchasing & owning a car.

Also I find the timing on this settlement to be quite interesting. It will not only be winter but we will also be well into the 2017 car

model year making it near impossible to get a 2016 with year end deals.

Sincerely

Terry GeMeiner



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Connie Gilman
Sent: 7/7/2016 10:22:35 AM
Subject: Proposed VW Settlement

Dear USDOJ:

I am an owner of a VW diesel vehicle (Jetta SportWagen, VIN: [REDACTED] and I am writing about the proposed settlement (Case 3:15-md-02672-CRB Document 1605-1 Filed 06/28/16). My basic comment is that the amounts to be offered by VW to owners of the concerned vehicles is far too small. Having used the charts on the Federal Trade Commission's site (<https://www.ftc.gov/enforcement/cases-proceedings/refunds/volkswagen-settlement>), I find that I will be offered roughly \$16,000 for my vehicle. Since the trade-in value at the time of the disclosure of VW's cheating on the emissions tests was roughly \$12,000, this means that I am being offered \$4000 for the fraud that was committed. Given that a) this vehicle should never have been available for sale at all, and b) that I certainly would never have purchased one had I been told the truth about its emissions, I feel that the only fair compensation for me is a full refund of the purchase price. Anything less is essentially a slap on the wrist for VW.

Sincerely,

Andrew Gilman

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 11:22:58 AM
Subject: VW settlement

Dear DOJ:

As an owner of one the VW diesels illegally sold in this country, I would like to offer a brief comment about the proposed settlement, which is inadequate. I understand that VW has agreed to compensate owners for the loss of value of the car due to the discovery of their cheating on emissions tests and to add to that a little supplement for our inconvenience. In addition they have agreed to contribute to a fund for environmental repair. That is all fine. However, a fundamental point seems to be absent, which is that they committed fraud and have made the owners of these vehicles into unwilling participants in environmental degradation. The involved vehicles should never have been permitted to be sold. I would certainly never have purchased one if the company and the dealers had been truthful with me. Consequently, I feel that the only adequate response is a refund of the full purchase price of my vehicle.

Sincerely,

Andrew Gilman

[My vehicle is a 2011 Jetta Sportswagen. Its VIN is [REDACTED].

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 12:17:38 PM
Subject: Clean Diesel Case Comments

Hello,

The compensation package for the diesel emissions scandal seems fair to me. I think the one thing that should be taken into consideration is those that have high mileage vehicles should not use the 1000 mile per month to calculate how many miles the vehicle had on it at the time the scandal was brought to light. They should take the current mileage and divide by how many months the vehicle was in service from initial time of sale. This would change my Sept 2015 mileage from the proposed 121000 to the actual mileage of 104000. That is a large discrepancy that goes in VW's favor. I think considering what they did, this type of calculation should go in favor of the customer. Many if not the better part of the customers that purchased a TDI bought it for the highway mileage MPG. So all of those people will have artificially inflated mileage used for the calculation. This brings down their compensation/buyback amounts and only helps VW. That equals almost \$2500 difference in payment to me between buyback and compensation. With that high of a difference, I will keep driving the car and continue to spew the higher emissions. If the value was adjusted correctly, I would probably sell the car back at my first chance. The ball is in the judges court to make these adjustments now. They will struggle to obtain the 85% off the road values if the buyback values are impacted by these inflated mileage standards used to calculate compensation.

Regards,
Kyle Gingrich

From: Gary Girzon
To: ENRD, PUBCOMMENT-EES (ENRD); [REDACTED]
Sent: 8/5/2016 8:57:50 AM
Subject: VW Buyback Values

I am an owner of a 2013 Golf 4DR TDI who's affected by the VW Diesel Emissions Settlement Program. I believe there may be mistakes in the base buyback for the 2013 which is too low compared with 2014. as well when compared with 2013 Sportwagen Jetta. My analysis below - I calculated per year depreciation for Golf and Jetta. Why does the 2013 Golf depreciate more than the 2014 per year? (I bought a 2013 Golf in 2013 and thus am "underwater" since I will not recover any savings I got by buying 2013 vs 2014 model). The 2013 Jetta, on the other hand, does not depreciate as much as the Golf or even other years.

Please advise how these values are calculated and if there any mistakes,

Thanks,

Gary Girzon

VW TDI MSRP
4DR DSG

Y	1A	base	Diff	Per Year
2011	\$24,985	5 \$18,527	\$6,458	\$1,292
2012	\$26,035	4 \$20,297	\$5,738	\$1,435
2013	\$26,300	3 \$21,407	\$4,893	\$1,631
2014	\$26,300	2 \$23,987	\$2,313	\$1,157
2015	\$26,995	1 \$27,202	-\$207	-\$207 SE

JETTA SW 4D

2011	\$26,095	5 \$19,157	\$6,938	\$1,388
2012	\$26,640	4 \$20,837	\$5,803	\$1,451
2013	\$26,895	3 \$24,317	\$2,578	\$859
2014	\$27,665	2 \$27,647	\$18 \$9	
2015	\$29,095	1 \$25,515	\$3,580	\$3,580 SE

MSRP from <http://www.emichvw.com/assets/misc/9...sportwagen.pdf>

Buyback from <https://www.vwcourtsettlement.com/en...hment%201A.pdf>



From: Nicholas Gomez
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 2:30:17 AM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386.

To whom it may concern,

I am the owner of a 2013 VW Golf TDI. I purchased the car new in August of 2013. Please let me explain my situation in order to fully convey why the settlement proposed by VW as it currently reads is unacceptable to me. I realize my case may be entirely unique but parts of it resonate across all TDI owners.

Prior to owning my TDI, I was the owner of a 2010 VW GTI that had an MSRP of 30,000 and ended up costing around 34k (with taxes, etc in California). I purchased that car new and it was more than acceptable in every measurable way. Quite frankly, I loved that car. In 2013, my life circumstances changed that required my driving to increase from approximately 13,000 miles a year to close to 20,000 miles a year. When I had my GTI in the shop for its 40k mile service, there was a TDI there that I took a good long look at. There was enough equity in my GTI that I would not have to put a down payment down on the TDI. VW at the time was offering 0% financing and the overall monthly payment for the TDI lower than what I was paying, though switching cars would extend my payments for another 3 years.

Long story short, I crunched the numbers with the dealer and I found I would save a considerable amount of money **due to the lower price of diesel, the nearly doubled MPG provided by the TDI, and the advertised longevity of diesel motors and low cost of maintenance**. I want to be clear here: the only reason this transaction took place was due *entirely* to the fraudulent information provided to me by VW dealer (who received their information directly from the manufacturer, VW). Independent research also indicated that VW TDI's had exceptional retail value when sold privately due to the aforementioned performance, longevity, and low cost of running.

I am not considering the "fix-it" option to be even mentionable simply because it does not exist and there is no guarantee it will exist in 2 years time, leaving my car in limbo and forcing me to potentially sacrifice the car completely at that time for the dollar amount VW states for the "fit-it compensation."

This leaves the option for VW to buy my car back. As the deal stands, I am losing a considerable sum of money entirely on account of VW's intentionally illegal acts. If the TDI was compliant originally, all information indicates that the performance would have been much less than it currently is, thus making my decision to trade in my GTI no longer financially sound. The GTI would have been paid off by now and my only expenses up to this point would have been the remaining payments and the assumed maintenance that went along with mileage. I also purchased the TDI *expressly* because I knew I would be driving it much more than average. Under the current deal, owners are penalized for driving their cars more than the national average. Let me be clear: I **financed** the car because there are no mileage limits. It is mine to do with as I please.

I know this has been something of a rambling but I wanted to paint the full picture to express my frustration:

- Due to VW's fraudulent claims, I lost the equity on an arguably nicer car (according to trends published by KBB, the GTI would still be worth close to what I got from the trade in) as well as 3 years of use from that car
- Due to VW's fraudulent claims, I drove the TDI much more than the national average without a guilty conscience since the car had the reliability and efficiency to maintain such a driving style while still remaining sporty (I definitely could have purchased a Prius or any other fuel efficient hybrid)
- VW is basing the reimbursement off of fair dealer trade-in value. The dealers are not a part of this deal. The cars are not getting re-sold and the trade-in value is designed to allow for a profit margin for VW dealers when they sell the car to another owner. VW can claim the compensation is generous but if the starting point is ludicrously low then it is not generous at all. (for comparison's sake, the trade-in value for my car is ~15k while the private party value

was ~19k)

-When I purchased the new car, not only did I accept the loss of value of the GTI but I also had to pay for the associated fees for a new car. This is specific to my situation but those fees were not accounted for in the current deal and it ignores that I will **yet again** have to pay those on a new car.

I am not a legal expert but based off of the news coverage and the charges brought against VW by the EPA, CARB, FTC, and DOJ, VW committed blatant fraud that could have totalled 40 billion dollars.

The consumer in this situation did no wrong but is not being financially penalized for using their cars based off fraudulent data provided to them by VW. This caused significant damage to the environment as well as financial harm to my person.

My final comment is this: in any other analogous situation, a full refund would be issued to the consumer. I'm not asking for any compensation beyond that. I'm asking that VW give back every dollar they took by blatantly lying to the world and nothing more (if you think about it, everyone is getting back ~50% of the value so given production costs, VW stands to lose no money in this deal, just the profits from selling the vehicles).

Thank you for your time.

Kind Regards,

Nicholas Gomez

From: John Graham
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 9:28:22 PM
Subject: Comments on Proposed Volkswagen Diesel Litigation Settlement
Attachments: nts0903.pdf

I have two comments regarding the proposed settlement:

1. I believe that the 12,500 annual mileage factor that is in the proposed settlement is materially understated relative to the mileage that most diesel owners put on their vehicles. The 12,500 figure is very close to the 12,416 figure released by the Federal Highway Administration of the U.S. Department of Transportation as representing the average annual miles driven on vehicles in the United States. Diesel buyers pay a premium for their cars to get superior fuel mileage and longer-lasting engines. The financial payback on the higher upfront cost is only realized by drivers that put a lot of miles on their cars, so high-mileage drivers are attracted to diesels.

I could not find any data showing average annual mileage amounts for cars in the United States. However, there is data that shows that drivers of diesel cars put significantly more miles on their cars than drivers of gasoline cars. This data comes from the United Kingdom's Department of Transportation's National Trend Survey for 2014. In this report, Table NTS0903 states that owners of diesel cars that are 0 to 3 years old average 13,600 miles/year vs. 7,700 for petrol (gas) powered cars of the same age, and owners of diesel cars that are over 3 to 6 years old average 10,700 miles/year vs. 7,100 for petrol powered cars. I think it is reasonable to assume that the same factors that contribute to English drivers utilizing their diesels more than gas powered cars are at play in the United States, namely, people who buy diesels do so because they expect to drive higher-than-average miles each year and want to benefit from the superior fuel mileage as well as longer-lasting engines.

The English diesel drivers of the 0 -3 year-old-cars and the 3 – 6 year-old cars, on average, put 64% more miles on their cars than the gas powered car drivers. Since diesel-powered cars represent a very small percentage of the total cars in the United States, it would be reasonable to apply the 64% rate to the 12,416 average mileage rate in the United States. Doing so would set the estimate for diesel car mileage at 20,362 which I believe is a more realistic estimate of diesel mileage than 12,500.

I have attached a PDF file of the UK report that I discussed above. The web site where the report can be accessed is: <https://www.gov.uk/government/statistical-data-sets/nts09-vehicle-mileage-and-occupancy#table-nts0903>.

2. I believe that the deduction in the buyback value for manual transmission cars is excessive. For example, the 2009 Jetta TDI with an automatic transmission has an MSRP \$1,100 dollars higher than for the same car with a manual transmission (\$23,090 vs. \$21,990). The manual transmission adjustment factor in the buyback calculation for this car is a reduction in value of \$600, i.e., the manual transmission Jetta is worth \$600 less than the automatic transmission Jetta. This indicates that the automatic transmission only depreciated 45%, whereas the car as a whole depreciated 66%, using the trade-in value of \$7,950 indicated by the buyback and modification table (difference between the two columns for the 2009 Jetta) vs. the original MSRP of \$23,090. Using the 66% depreciation rate against the initial price premium paid for the automatic transmission of \$1,100 indicates a reduction of \$374 instead of \$600 for the manual transmission Jetta.

Thanks you for your consideration,

John Graham


From: Tele Veloce
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 9:16:25 PM
Subject: Public Comment- Oregon Resident: U.S. v. Volkswagen Group of America

July 12, 2016

Your Honor,

Summary:

This consent decree could set a dangerous precedent allowing active fraud to occur with deferred discounted contract value set at the later date. This places the individual consumer at a great disadvantage.

Your assistance is respectfully requested assistance for consumers for protection against fraudulent businesses activity and provide an equitable remedy for consumer protection against the fraud that has been committed by VWoA activity that occurred in the State of Oregon and California.

Discussion Findings:

I purchased a 2010 Volkswagen TDI Sportwagon VIN [REDACTED] on January 2, 2010. Purchased from manufactures representative OB Salem Auto Group, Inc. currently operating under the name "OB PORTLAND 1, INC." (OR Reg. 053188-11). I am the original owner; vehicle was delivered from manufacturer (Volkswagen) to Oregon manufactures representative; Vehicle was originally registered with Oregon Department of Motor Vehicles and has remained registered and current in the State of Oregon; Emissions testing was not required at vehicle delivery and until year 5 of ownership. An emission testing has taken place at Oregon department of environmental test station; This vehicle has passed all emissions tests with the State of Oregon; Manufacturer recalls have resulted in no resolution to the problem.

I have received a letter dated 9/29/2015 from Volkswagen of America, Inc. stating violation of federal emissions laws and as an admission of false representation of material fact upon the vehicle sold to me on 1/2/2010. VW has already admitted to deceiving customers by installing the emissions bypass defeat device. Volkswagen knowingly sold me this vehicle on 1/2/2010 as a product able to license and register in the State of Oregon as a clean diesel technology that is fuel efficient and environmentally sound. This 9/29/15 letter I received does not dispute this.

I relied on the manufactures representation that the vehicle was able to meet state and federal emissions. I paid a premium price for a diesel vehicle that was claimed to be "clean" and provide a long service life to offset the premium price paid through long term ownership.

Volkswagen of America and their manufacturer's representative (OB Portland 1, Inc.) have committed fraud. Based on my contract of sale, Volkswagen of America engaged in active fraud with the false representation of material fact, or in the alternative, the concealment of material fact on 1/2/2010. Volkswagen was aware that this vehicle could not comply with Federal and State emission standards, sold a vehicle with device to cheat during emissions compliance testing. Volkswagen had knowledge to this cheating device prior to contract sale and didn't disclose this in the contact.

Had Volkswagen not been deceptive in its marketing and sales practices and disclosed the use of a device to bypass emissions testing, I would not have entered into a contract to purchase my TDI on 1/2/2010.

Recent Oregon Department of Environmental Quality Vehicle Inspection program on 11/20/2015 shows that this vehicle is passing and device to bypass emission testing remains in place.

Volkswagen consent decree "buyback option" makes the claim that VW will buy back my TDI regardless of it condition, at the NADA clean trade-in price before the emissions cheating was made public on September 18, 2015. NADA is a book established by a willing seller and willing buyer in a market place. The discount rate doesn't resolve the following:

1. VW owner's paid a premium to drive an economy diesel vehicle where longevity and economy happens in the long run ownership history. (September 18, 2015 is a sell short imposed date without relevance)
2. VW's fraudulent activity was suspected with prior emissions recall and also affected vehicle market value;
3. Owners of premium sunroof vehicles had to address known manufacturer's defect to repair leaking panoramic glass sunroof builder's defects at owner's cost.
4. Original owners had to sue for an official wireless hands free device as required by law for all vehicles sold after 1/1/2010.
5. For original owner's with proof of contract between VWoA from their dealership network clearly sets what is known as "market value." (the price of exchange between a willing buyer and willing seller)

6. The "buyback" settlement doesn't address to the original consumer that VW was involved in active fraud and the contract is considered null/void. Those owners who can produce documented proof of original contract should be eligible to be made whole with return of FULL consideration based on ORIGINAL date of exchange plus any contributions to the vehicle. (wear items not included – brakes, clutch, oil, filters etc.)

My purchase contract dated 1/2/2010 was void from the active fraud of misrepresentation by VWoA. I plea that the DOJ reject VWoA consent decree and amend counter offer that original owners (with documented proof) are eligible for full contract value redemption plus reasonable costs to purchase a similar vehicle in today's market giving the consumer price index between date of purchase and date of vehicle return to Volkswagen of America.

These businesses should not be able to continue to operate in the State of Oregon without a fair remedy for citizens to choose to return the merchandise back to the place of purchase.

Documents to support findings available if required to support consumer comment. Thank you for the opportunity to oppose the consent decree.

Respectfully,

John Gratchner



From: Melissa G
To: ENRD, EESDCopy (ENRD); Kaul.Meetu@epa.gov; Kakade.Seema@epa.gov; Iddings.Brianna@epa.gov; nicklas.akers@doj.ca.gov; judith.florentini@doj.ca.gov; david.zonana@doj.ca.gov
Sent: 8/5/2016 1:31:29 PM
Subject: RE: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION

I am writing to you concerning the VW PARTIAL CONSENT DECREE as the owner of a 2012 Golf TDI.

I have to say that I feel the handling that VW has proposed for this is not very good for the owners of these cars due to the timelines noted and that the consumers affected by this should be what is most important.

Like many people who bought a VW TDI, I had heard that they would last much longer than a typical unleaded engine. The idea of owning a car for almost 300k miles with few issues was key in my decision as were the mile per gallon rating. In the consent decree and the possible settlement, I am currently being punished for driving my car. Like many in our country, I cannot afford to own multiple cars and neither can I afford to just go out and buy a new car without a trade-in or down payment in some form. As it currently stands, my car is estimated to be worth approximately \$17,500, but if I use my car (as I must if I want to go to work), the my car will be worth almost \$1000 less by the time October comes and they decide to buy back my car. Is this really fair to those of us affected the most by this? No, it's not.

Another issue? I have been a very faithful VW owner. I go nowhere other than to my dealership to get any work or routine maintenance done. I have receipts showing that my mileage as of September of 2015 was approximately 80,000, but the way VW wishes to do this (calculating your mileage using Kelly Blue Book standards) will make my car have more mileage than that I actually had and I will get less restitution upon buyback or fixing my car. Does this mean that VW doesn't trust their own service departments? I can understand the need for some standard, but if an owner has been loyal to VW's service centers, the settlement should allow for the usage of the noted mileage closes to the September of 2015 with any adjustments coming from that value.

Last - taxes. When I purchased this car, I had to pay taxes on it. That should be added to every owner's restitution (buyback or fix).

The main point is that while these offers seem generous, VW has put small clauses and points into them meant to further punish customers such as myself who can't afford to just buy a new car. VW's service centers should supply the mileage closest to September 2015 for any adjustments that need to be made for mileage (if possible). If they cannot agree to this, every consumer who purchased a TDI should be allowed to go to a dealership or service center to have their current mileage recorded so they are not punished for needing their car for their daily commutes or other life necessities.

Thank you,
Melissa Greenberg


2012 Golf TDI

From: Al Greenblatt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 8:40:26 AM
Subject: VW Settlement comment

I am the original owner of a 2010 Golf TDI. The deception orchestrated by VW was the only reason I bought this car.

I appreciate this opportunity to provide input regarding VW's proposal. Due to the lack of a proposed fix, I will only comment on the buyback aspect. Specifically regarding the restitution amount; I don't understand why this amount is calculated based on the value of the car. It seems rather arbitrary.

I understand that my point of view is biased because I am in the group that receives less restitution money, but it makes me wonder why a customer who bought a 2015 vehicle should receive twice as much restitution than one who has been a customer since 2010.

Another thought (from the angrier me):

Sometimes I wonder why the buyback portion is tied to the value of the car as it was on Sept 2015 (before the scandal broke). They have been lying since the beginning. It's not like getting caught was the date of some infraction. To me, the injustice happened before I even bought the car. Part of me thinks they should just give me a full refund. Like I said, I never would have bought the car if I had known the truth.

Thanks again for "listening",
Alan Greenblatt
Owner: 2010 vw Golf TDI
[REDACTED]

From: Tyler Gregory
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 10:50:38 AM
Subject: VW TDI Settlement Comment

To whom it may concern:

I'm writing to express my displeasure with the proposed Volkswagen TDI settlement proposal. As an affected owner, I feel the settlement does not fully address a concern: before it was made public that Volkswagen had deceived the public, owners, investors, and dealerships on the emissions from their 2.0L TDI engines, I could have chosen to trade my car into a dealership or chosen to sell it to a private party at a higher price than trading it in. The proposed settlement removes that choice from me and only offers the sale of a car back to Volkswagen at dealer trade-in values. The crux of the decision to purchase a TDI for my family was twofold, first, to enjoy higher gas mileage with lower emissions, and secondly, to retain more value than a gas-powered Volkswagen of similar specification to allow for eventual resale to a private party, thereby avoiding the penalty of trading the car into a dealership.

By valuing the affected cars at dealership trade-in values for buyback and not at private party pricing, Volkswagen saves thousands of dollars per car before their \$5100 'bonus' compensation is applied. I feel this is unfair, given all affected owners could have sold their cars in private party transactions at a higher price before Volkswagen deliberately misled all involved. Volkswagen should, in my opinion, pay private party resale values to affected owners in addition to the \$5100 additional payment.

Respectfully,

Tyler Gregory
2010 Volkswagen Jetta TDI Owner

From: Keith Griffith
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Keith Griffith
Sent: 7/22/2016 10:22:33 AM
Subject: re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

To whom it may concern,

I am a previous owner of a 2013 Volkswagen Passat TDi. I sold the vehicle in November of 2015, after the emissions cheating was announced. My concern is with the modification compensation. This amount is to compensate owners for diminished value of the affect vehicles. When I sold my car, the diminished value had already been assessed by the used car market. I received less for my car because of the cheating. Now I am supposed to share the compensation for my diminished value by the new owner who purchased the vehicle for the diminished value of the automobile. I feel the modification compensation should go entirely to the owner of the vehicle before the cheating scandal was announced as they assumed all of the diminished value.

Thank you,
Alan Griffith
Sent from [Mail](#) for Windows 10

From: Jason
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 7:59:08 AM
Subject: Re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

7/14/2016

Assistant Attorney General,
 U.S. DOJ--ENRD, P.O. Box 7611,
 Washington, D.C. 20044-7611.

Re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

To whom it may concern,

This letter is in response to the proposed settlement for Volkswagen diesel owners. I am writing to provide my feedback and concerns with the settlement as presented. Overall, I do not object to the settlement, and feel the structure and timeframes are realistic and fair. I do have objections to the methodology used to determine the buyback amount. As a Gen 1 TDI owner, the settlement is structured so that it is favorable for me to sell my car back rather than wait for a fix. Though technically I am not being forced, I am essentially being driven to have my car bought back. The proposed settlement is using a "Trade-in" value plus twenty percent. The problem is this amount does not capture the cost to purchase a replacement vehicle. To support this, the below shows the price difference between RETAIL (replacement cost) and TRADE value (the amount used in the settlement)

ALL DATA TAKEN FROM HARD COPY NADA GUIDE FOR SEPTEMBER 2015

2011 Jetta Wagon 4D TDI (4cyl)
 \$12,100 TRADE IN \$16,000 RETAIL **33%** DIFFERENCE

2011 Jetta Wagon 4D SE (5 cyl)
 \$9,625 TRADE IN \$13,075 RETAIL **36%** DIFFERENCE

2011 Golf Hatchback 4D TDI (4cyl)
 \$11,650 TRADE IN \$15,450 RETAIL **33%** DIFFERENCE

- As you can see from the above the average difference between "Clean Trade In" and the Retail price is not 20% as used by the settlement but around 35%. This shortchanges Volkswagen owners a considerable amount of money.

- o As an example for my 2011 Jetta Wagon TDI per Attachment 1A using 120% of Clean Trade in Value is \$19067.
- o Using NADA Clean Retail Values would be $\$16100 * 120\% + \$29863.73 = \$22306$. **A difference of \$3239**

- As seen in Doc. 1607-1, Attachment 1A, adjustments for accessories can be added and/or deducted from this base value. Many high dollar options such as body kits, premium wheels, and Bi-Xeon headlamps are listed in the NADA guide for our vehicles but are not included on this Attachment which shortchanges many owners who paid a premium for these options. Also for many items the deduction per Attachment 1A is more than detailed in the September, 2015 NADA guide.

- o As an example: For my 2011 Jetta Wagen TDI per Attachment 1A I am to deduct \$840 due to having a manual transmission. However, the September 2015 NADA Car Guide calls for a deduction of \$700 for a manual transmission.

- The third issue I have with the proposed settlement is once my vehicle is bought back, I am now without a vehicle and I have to purchase a replacement vehicle. A lot of fees come with purchasing a replacement vehicle such as the traditional tax tag & title, vehicle dealer processing fees etc. (all in the fine print of dealership ads). This creates a tax liability for me as I have to pay sales tax on the new vehicle. In addition I have to pay the dealerships processing fee.

- The final issue is regarding mileage adjustment. Many TDI owners purchased their vehicle for it's reliability and fuel economy, thus many drive long distances and exceed the 1042/month mileage allowance per Doc 1607-8, Attachment 2B. Due to delays on behalf of Volkswagen during the course of this investigation since 2014 and beyond as we wait for a reliable modifications, I feel mileage should be frozen at verifiable September 15, 2015 values. If an owner is unable to verify via service receipt, Milcage used for Goodwill program submission and currently linked to our VIN could be used. Another option would be to remove this adjustment all together. Though there is most likely a small percentage who would lose a positive mileage adjustment, the adjustment of Tables for Clean Retail and/or taxes should more than make up for this difference.

Here you can see how I am being shortchanged on my 2011 Jetta Wagon TDI, 6MT, & 75-80K Miles

Difference between “Clean Trade in” and Retail Buyback: \$3239

- o Clean Trade with deductions per Attachments = \$17417
- o Clean Retail with deductions per Attachments = \$20656

North Carolina Sales Tax (4.75%) \$1188 for a comparable \$25K vehicle

Dealer Fees \$400.00

Total difference \$4827

I propose that the final settlement be based on a “Retail” replacement value and that it includes compensation for sales tax (if applicable) and dealer processing fees. This buyback situation is not unlike what the insurance industry deals with on a daily basis for the total loss of a vehicle. Insurance companies do NOT provide the “trade-in” value. They use what is referred to as the “Actual Cash Value” (ACV) for a vehicle AND they include taxes / fees.

Below are excerpts from the three largest auto insurers on how vehicle value is calculated for a total loss.

State Farm “We'll pay to repair, replace, or furnish the agreed upon **actual cash value of your property**, subject to the terms and conditions of your policy”

Berkshire Hathaway (GEICO) “Pay the **actual cash value of the vehicle (plus applicable state fees and taxes)** less any deductible.”

Allstate: “Sometimes, it might cost less to replace your car than to repair it. In that case, many policies will pay the **actual cash value**. Determining the cash value of your car will depend on its condition, prior damage and local market pricing.”

As you can see, the insurance industry, experts in buying vehicles back, use ACV and include compensation for taxes and fees to make their policyholders whole again. As Volkswagen owners, we have been troubled by the events that have drug out over the past year. We were lied to and given false information at the time of purchase, and during our ownership thru countless commercials advertising a clean product with a “high resell value” We need to be made whole.

The proposed settlement is a good start to making owners whole but fails to completely address the compensation that is due.

Regards,

Jason Grochowsky

2011 Volkswagen Jetta Sportwagen TDI

Original owner since December 2010, VIN [REDACTED]

Bruce E. Groover



August 2, 2016

Assistant Attorney General
U.S. DOJ—ENRD
P.O. Box 7611
Washington, D.C. 20044-7611

RE: Proposed Volkswagen Settlement

Dear Sir or Madam:

I write in concern over the proposed Volkswagen settlement for the outrageous fraud and deception committed upon Volkswagen diesel owners, U.S. environmental regulators, and citizens of the world who are affected by the emissions.

I am an innocent party, an owner of a 2015 Volkswagen Passat TDI, that was defrauded by Volkswagen. As such, I am well within reason to expect to be "made whole" by the settlement of the class action lawsuit. However, the settlement falls well short of making me, and others like me, whole again. I purchased my Volkswagen brand new from the dealer just months before the scandal broke. When I made the purchase, I also bought the Volkswagen CARE PLUS prepaid maintenance plan. This amounted to \$1,750.00 on top of the price of the car. From what I have gathered talking to various dealerships and doing research online, these maintenance plans are popular for diesel owners due to the high cost of scheduled maintenance. Yet, astoundingly, Volkswagen has made no mention in the settlement of reimbursing Volkswagen owners for these plans should they participate in the buyback. I would like the Court and the DOJ to take this into consideration and force Volkswagen to reimburse owners for the CARE maintenance plans. We have no other recourse to recoup the costs of the plans otherwise. This is because the CARE plan terms and conditions say that there is no cancelling the plans unless the car has been "totaled" by an insurance company. The only choice then is to be reimbursed by Volkswagen or to lose the money paid for the CARE plan.

Because my car is so new, I have yet to use the maintenance plan that I purchased from Volkswagen. In fact, if I participate in the buyback, I will never have used the plan. Without VW reimbursing me for the cost of the CARE maintenance plan, I will lose the \$1,750.00 I paid and I will be left far short of being made whole. I ask you to remember that I, like other Volkswagen diesel owners, did nothing wrong and the fraud was committed upon me. I urge the Court and the DOJ to take this into consideration and force Volkswagen to reimburse CARE maintenance plan owners. Thank you for your time and consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Bruce E. Groover".

Bruce E. Groover

From: Grossman, Jonathan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/24/2016 3:09:51 PM
Subject: VW TDI buyback public comment

Attorney General's Office
U.S. DOJ— Environment and Natural Resources Division
P.O. Box 7611
Washington, D.C. 20044

Dear Madam/Sir:

We write to register our specific dissatisfactions with the proposed settlement with Volkswagen over the emissions defeat devices, in which Volkswagen deliberately cheated their customers.

Thank you for working on our behalf toward a settlement and for holding the company accountable for their fraud. We remain, however, concerned that several issues have not been addressed.

Our main concern is that the date from which buyback and all compensation should be dated should obviously *not* be the date when the cheating was discovered and the cars lost value.

True justice would require a refund from the date of purchase. If we could go back, we would never have bought the car. VW was deceptive: why is it not appropriate to expect a full refund for a fraudulent product, regardless of current value? The proposed settlement misses the logic that every day after purchase when the car was being driven was a day of fraud. Every day we drove the car the exact opposite intention of our use of this “green” car was being perpetrated. The settlement essentially takes the view that we received a benefit from the fraud by determining the value of the buyback based on usage of the car.

We can imagine a less satisfactory form of justice, but at least one better than the current proposal, that would consist of holding the company responsible from the date when not just a few people, but executives knew of the fraud. As the *New York Times* recently reported it is beginning to appear that “an orchestrated fraud...lasted more than a decade, involved dozens of engineers and managers and reached deep into the company’s boardroom” (*New York Times* 19 July 2016).

At the very least, we *know* that VW spent at least a year denying the results of tests and hiding the crime they knew was ongoing. The current settlement rewards hiding crime for as long as possible. We object absolutely to this logic. We think that everyone’s settlement amount should be increased proportionally back—at a minimum—to the date when VW denied the results of the first test: one year earlier. This date is when the NADA calculation on the car should be made with all the subsequent modifications.

We fear, from the language of the proposed settlement, that somehow the overall settlement amount has been set in stone, and that these public comments are mostly meaningless. It is unethical to ask for input when there is no potential for real change. We hope that is not the case here.

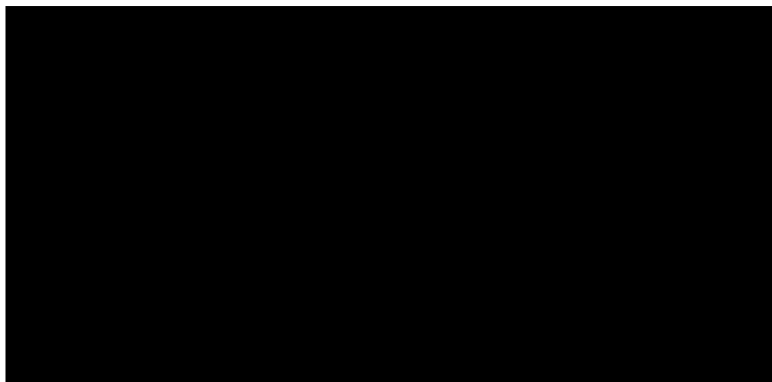
Sincerely,

Jonathan Grossman and Jana Portnow

VW Sportswagen TDI

Purchase date 06/12/2010 at Volkswagen of Downtown LA for \$27133.36

<http://www.nytimes.com/2016/07/20/business/international/volkswagen-ny-attorney-general-emissions-scandal.html?action=click&contentCollection=Business%20Day&module=RelatedCoverage®ion=EndOfArticle&pgtype=article&mtrref=www.nytimes.com&gwh=2F37A31A3DECC7156C1851972F97CE0F&gwt=pay>



From: Bruce Guild
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 2:51:32 PM
Subject: re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

To whom it may concern;

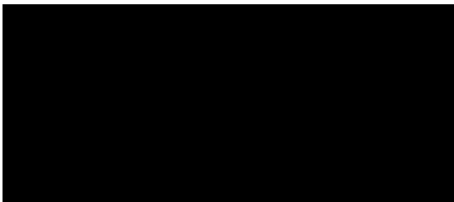
I would like to make a public comment on the Clean Diesel case against VW. I have 3 concerns that I believe are not being addressed.

1.) I am selling my car to VW for misrepresenting its product. I find it is in VW's best interest to buy my TDI at clean trade rather than private party. I do not see why we are being asked to lose that value when we are forced to sell our cars back or continue to pollute the environment. If there was going to be a fix for the Generation 1 cars I might feel differently. VW should pay clean Private party to be fair.

2) I find it unfair that those who purchased rebuilt vehicles are not going to be compensated if that vehicle was titled salvaged title before Sept 18. Rebuilt titled cars are fantastic vehicles when reconstructed correctly and many people find value in buying properly rebuilt vehicles for many reason including, value, and environmentally they make sense rather than wasting those resources. Why are they not included in the program if purchased prior to June 28th. Many of those owners did not even know about the upcoming issues with VW and simply wanted an affordable high MPG car. If Someone purchased a clean title car after Sept 18th they get compensated, but another individual purchases a rebuilt title and is treated differently. VW needs to buy back as many TDI's as they can and Rebuilt's Titles and their owners should be treated equally.

3) Mileage adjustment. People who buy TDI's are long distance, highway mileage drivers. If we where city drivers we would buy a Prius or a Volt. TDI owners need good highway MPG and long lasting diesel engines to put many miles on them. The mileage calculator in my opinion should not penalize us for TDI owners using their cars as intended. The average TDI owner puts much more than 12500 miles a year.

--
Bruce Guild



From: Michael Guttman
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 3:16:27 PM
Subject: 3.0 | TDI

Hello, my name is michael guttman in [REDACTED] My SSN # is [REDACTED]
I'm 100% DAV on a pension from the U.S. Army, and my wife and I got scammed big time by Audi.

[REDACTED]

[REDACTED] Suki,(my wife), had saved up for several years for the 25,000 down payment as well as the 3,000 i put in. She worked at a few nursing homes as a CNA with Alzheimer patients that were often physically and verbally abusive, she deserves better. Last May we ordered an Audi q5 TDI, Last October it arrived and we were assured that the 3.0 liters were safe from emissions because of the ad-blue system. 9 days later the scandal broke and our car was implicated. We tried to return it immediately with only 80 miles on it and were given the complete runaround by all involved including VW of America which outright lied to us on more than one occasion. We were offered a buyback for trade in at my local dealer, but at a seriously reduced cost which I declined, besides, the only reason i chose that car is because of the TDI engine. Almost a year later and they still take my car payments of over a thousand dollars a month. I asked Audi financial to suspend my payments and i agreed to stop driving the car until all this was sorted out, they declined and told me the result for not continuing my payments would ruin my credit and the car would be repossessed! In my mind, this was a no brainer and our full amount should be refunded to us so we can find her a car without this stress and continued denial and foot dragging by Audi.

[REDACTED]

[REDACTED] please help us. My phone number is [REDACTED] My loan # is [REDACTED]

There is no transparency of any kind and I feel that any money they do return at a future date,(if it actually happens) shouldn't be less than what i paid, i would be happy had they not defrauded me and we should not be penalized for this. Sincerely Michael E Guttman

From: Ken H.
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 3:22:56 PM
Subject: VW TDI proposed buyback settlement

Hello,

I own an Audi A3 TDI vehicle in [REDACTED]. I was lied to about the environmental benefits of the vehicle at the time of purchase. With taxes paid, I paid over \$41,000 with taxes for the vehicle and paid it off. I can provide my VIN upon request so you can verify my statement.

The proposed settlement terms were recently released. I feel they are not adequate.

I should be refunded my total purchase price of the vehicle. I should not have to be paid an adjusted amount less than what I paid for.

If it were not the fault of VW/Audi lying, I would not have agreed to purchase this style vehicle.

If you bought a product and were deceived, would you also want a full refund from the vendor?

VW/Audi lied and admitted to it. Why should the car owners be victimized again by a settlement that is less than adequate?

Regards, Ken

From: hagen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 6:06:21 PM
Subject: VW Diesel ICO Alexander Hagen

Sir or Madam,

I recently reviewed the options made available to me by Volkswagen regarding the buyback of my 2015 VW Golf TDI and believe it is making a mockery of me. At the time that the scandal was revealed it was a new car, so new that it didn't have a kelly blue book value and the only estimates for its value were based off of auction results that had been obtained after the scandal had broken, which placed it at around \$16,000.

Where I become lost regarding the reasonableness of the settlement is how VW believes that a car so new with 15995 miles on it is only worth \$16,500. For older vehicles with market established values for resale and purchase by regular consumers, I can understand the formula that has been put out and understand the logic of it. I can not however understand why a virtually new car, in every important metric except that it has been driven off the lot, is suddenly subject to a 38% drop in value a year after it's been sold. In my opinion the only fair response for owners of vehicles like myself would be to buy back the car at the price it was sold, not based off a skewed value established only after it's perceived value had plummeted.

Thank you for your time,

Alexander T. Hagen

From: Van Eaton, Josh (ENRD)
To: Cooney, Nigel (ENRD); Kettle, Kathryn (ENRD)
CC: Engel, Bethany (ENRD)
Sent: 8/5/2016 5:02:20 PM
Subject: Fwd: Air-Bag Recall issue: Early lease return without penalty

Sent from my iPhone

Begin forwarded message:

From: [REDACTED]
Date: August 5, 2016 at 2:58:40 PM EDT
To: <Josh.Van.Eaton@usdoj.gov>
Cc: <[REDACTED]> <webcontentmgr.enrd@usdoj.gov>
Subject: **FWD: Air-Bag Recall issue: Early lease return without penalty**

Hello Mr. Eaton,

Per the voice mail I just left you I am forwarding you an email that I sent to VW Corporate (U.S.) regarding the issue of an Air-bag defect that their company has not been able to resolve for some months now to which there is no solution in sight. I've reaching out to you because of your involvement with the VW's Emission Settlement Program and your familiarity with how the VW corporation works.

My request of VW is to allow me to return my leased vehicle; to basically allow me to terminate my lease early without penalties). I content that I no longer want to lease a vehicle with a condition which may cause serious or fatal injuries upon deployment of the air-bag. The conditions of my lease agreement assumes that the lessor had provided a vehicle in working order and that I (the lessee) would be responsible for any damage sustained to the vehicle beyond wear and tear. In this case the air-bag recall is a condition beyond my control and thus violates my expectation of leasing a vehicle in good order.

Someone from VW called me today to let me know that I have to honor the lease agreement and pay the remaining 12 payments despite the defect observed in my vehicle which has not been resolved. I have asked them to provide their response in writing but as of now, they have not responded. As a consumer, I feel trapped and vulnerable. I should have the ability to get out of the lease if the lessor is not holding up their end of the agreement.

Please let me know if through the Justice Department there is some recourse for cases such as these. Can the DOJ support these types of efforts or is there a more suitable consumer advocate organization that may assist?

I am sure that there are many other VW owners that have the same point of view. I realize that you are focused on environmental matters but I'm hoping that you would be able to steer me in the right direction.

Thank you very much for your time and consideration in this matter.

Sincerely,
Herbert Harmond
[REDACTED]

----- Original Message -----

Subject: Air-Bag Recall issue: Early lease return without penalty
From: [REDACTED]

Date: 8/4/16 1:57 am

To: vwexecutivemail@vw.com

Date: 4Aug2016

RE: Air-Bag Recall Issue: Early lease return without penalty

To whom it may concern:

I lease a 2014 VW CC R-Line [REDACTED] I'm at the 2-year mark of a 3-year lease.

Therefore I have 12 payments remaining on the rest of the lease and have been punctual with all of the payments. When I first leased the vehicle it was my understanding that, at any time during the lease, I would be able to purchase it. I have leased vehicles in the past (including an Audi, also through VW Credit) and really I appreciate the flexibility afforded to lessees because one can't often predict how ones situation or needs might change three years in advance. I had intended on keeping the CC longer and purchase it at the end of the 3-year lease. But my situation and needs did change.

Through a VW correspondence months ago, I came to find out that my CC had a recall for a defect with the air-bag that could potentially misfire and rupture. For months I had seen no updates on this issue.

After spending at least 1 hour trying to talk to someone from VW Customer Care earlier this week, I finally received more details, or lack there of, on the timeline to resolve the air-bag issue. Unfortunately, there is no resolution in sight. Evidently, VW is not allowing the vehicles affected by this recall to be purchased by lessees either. Nor would anyone want to purchase a vehicle with such a serious defect.

Given the merits of my immediate situation and the inability for VW to determine how long it will take for the air-bag issue will be resolved, I kindly request that you allow me to return the vehicle this week, without requiring me to pay the remaining 12 lease payments. I consider this to be a fair and just compromise because 1) I am no longer willing to own my CC knowing that this defect could potentially cause harm to myself, wife or my family in the event of an accident and 2) because there is no timeframe for the resolution of this issue, I am not willing to go on for days, weeks, or months without a resolution

Can you please carefully consider my proposal to return my lease 12 months ahead of schedule and withdraw my responsibility to pay the remaining 12 months of the lease? If so, please provide me with guidance as to what steps need to be taken in order for me to return my vehicle before my next lease payment is due on 21Aug2016? If not, I will be forced to seek legal council on this matter because it feels as though the public trust is being abused VW is expecting customers to continue to drive, for an indefinitely period of time, a vehicle that has a potentially life-threatening defect. With me returning the vehicle right now, I am essentially alleviating VW of this liability.

Thanks for your consideration and I hope that you can appreciate my predicament and perspective.

Regards,
Herb Harmond

[REDACTED]

From: Lew Hardy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:33:08 AM
Subject: VW TDI comment from owner of a Passat TDI SEL, 2013

I believe that owners, the environment and VW would be best served by offering a 200,000 mile bumper to bumper warranty with no upfront cash settlement after the emissions are brought into compliance.
Warranty would be transferable and have no time limitation.

Regards,
Lewis Hardy

From: Don Harkin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 11:35:13 AM
Subject: diesel Recall

Hello

Thank you for taking the time to field concerns on this subject. I just want to say that the amount I paid for the vehicle with repairs, taxes, and financing is no where close to replacing my diesel VW, I understand there is a potential fix for the diesel problem but I truly feel that it will represent problems down the road for resale and more issues going wrong with the car.

It would be nice if VW would just replace the vehicle with a gasoline version of the car we currently own. Just a simple swap would be great!

Thanks for reading

Don harkin

From: Harris, Bob
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:34:00 PM
Subject: VW settlement

Have owned 3 TDIs since 2010. Jetta and 2 Passats. Still own the 2014 Passat. Awesome car. Awesome mileage. Too bad this happened. But in the end the settlement is far. Time to move on and get his sold back to VW.

Bob Harris

Electronic Mail is not secure, may not be read every day, and should not be used for urgent or sensitive issues

From: JD Harris
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 5:51:21 AM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Sir or Madam:

As a owner of two TDI vehicles affected by the decree, I have only one complaint about the decree -- the exclusion of vehicles from the class action suit which may have been 'totaled' by an insurance company between June 28th, 2016 and Sept 16th is unfair to owners for multiple reasons:

1. The transfer of ownership to the insurance company due to accident is likely not under the owners' control in this situation; and given the low cash value of TDI's due to VW's action -- the salvage values are significantly deflated from the time period prior to Sept 2015.
2. This exclusion creates a significant financial risk to all TDI drivers during this interim period, since an accident could happen at any time.
3. Mitigating the risk of loss of settlement benefits places an undue financial burden on the owners - e.g. driving a rental vehicle to 'protect' the resale value.

My wife and I were rear-ended by another vehicle on Sunday, July 10th on Interstate 80 near Lexington, NE while driving our 2015 Golf SportWagen TDI. We were nearly stopped due to traffic conditions when stuck at highway speed from behind. Fortunately, neither of us were injured, however the car is likely a total loss. Under the provisions of the agreement, we will now have to take separate action against Volkswagen, which seems a waste of time and money for all in our situation.

My suggestion would be to include all owners/lessees where ownership transfer was made to an insurance company as part of a claim. This would maintain the intent of the clause and protect all current TDI drivers during this interim period.

Thank you for your consideration.

James D. Harris



From: Mark Harris
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 9:28:36 PM
Subject: Volkswagen settlement

I am the owner of a 2012 VW Jetta Sportwagen TDI. It is my opinion that VW should buy back these cars for the entire purchase price we originally paid because this ordeal will still end up costing us more than we should have to pay. We were cheated and if we had known the truth we would have purchased a different vehicle that would have had a higher value to us and we wouldn't be faced with this issue. With a buyback amount less than the original purchase price we still face having to spend thousands of dollars more to get a replacement vehicle that we wouldn't have to if we weren't in this situation. If we hadn't been cheated we wouldn't be in this position. We should be paid back every penny we paid in. Thank you for taking my comment.

Mark Harris

From: Mark Harris
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 6:48:09 PM
Subject: VW Diesel settlement

As the owner of a 2012 VW Jetta Sportwagen TDI, I think VW should refund every penny I paid for the car. And make sure it is not taxed as income! This mess will still cost us money -- not to mention extreme inconvenience-- to have to buy another car. VW should get no benefit or leniency from this. VW cheated us and put us in a difficult situation that we had nothing to do with. We deserve to be made whole, entirely and without taxes as we were before. As a matter of fact, we should also be refunded the money we spent to pay for loan interest, expensive VW dealer service on the car and the money I had to spend on brand new tires. that is all money down the drain now.

Thank you

From: Rob Hart
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 11:51:11 AM
Subject: Volkswagen Settlement Proposal

To whom it may concern,

I logged into their portal, entered my information and I'm told that I will only receive \$13,025 if I go with the buy back. This is over \$10,000 below the value quoted in the sheets for a 2012 Audi a3. This makes me feel like VW is trying to cheat us customers again by purposely devaluing older car models because they can't easily resell them for a profit. If you look at the figures customers who bought their cars in 2014 are getting top dollar for their car. This makes sense when you think that cars depreciate in value over time and older cars should be worth less. However, the point of settlement was to make the customers whole again. When you factor in the fact that VW lied to me when I bought the vehicle and now they are offering me money far below what I paid for the car. I am not made whole again. I have the option of taking a sum of money that isn't enough to buy a replacement vehicle. Or have them fix it and deal with the financial loss of lower MPG/performance and any vehicle/engine problems that stem out of the fix that they are doing. I simply want the vehicle that I thought I was getting when I purchased it but now I'm not getting that.

On top of that VW gets to buy these vehicles back at "fair" value and resell them to consumers?! So not only do they not have to reimburse us consumers for what we paid for the vehicles, they get to make money off of us? How is that a fair deal for us? They'll give me a total of \$17,000(13,000 +5,000) and resell my vehicle for \$12,000-14,000. That's a 3,000 loss until you factor in their profit model of parts and maintenance. They will likely break even on this deal. Mean while, I am out of the car that I want and I must purchase a new vehicle while taking the hit on taxes and fees.

--

Robert
Hart

From: Thomas Hart
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Tom Hart
Sent: 8/3/2016 3:16:37 PM
Subject: VW settlement

To whom it may concern,

I am concerned about the VW settlement and do not believe it goes far enough in what I see as a clear case of fraud. VW took my money and made more money with it, all the while perpetuating their fraud. Now they are giving me back a portion of my money in exchange for my car. I should be refunded the complete cost of my vehicle AND receive compensation for the fraud. The settlement allows VW to keep a portion of the money I gave them for a vehicle that NEVER was what they promised. They also get to keep the interest they made off my money. It seems the victims aren't being looked after as much as the VW Corporation. It is a bit like a thief robbing someone and being allowed to keep a portion of what they stole. I do not believe they should be allowed to keep a single penny of my money. I ask that you revisit your decision and recognize that those of us who bought these cars and drove them are the victims. VW intentionally defrauded us. They sold us a bill of goods. I want my money back. All of it. Anything less is allowing them to get away with this criminal act.

Respectfully, Tom Hart

From: Thomas Hart
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Tom Hart
Sent: 8/3/2016 3:15:56 PM
Subject: VW settlement

To whom it may concern,

I am concerned about the VW settlement and do not believe it goes far enough in what I see as a clear case of fraud. VW took my money and made more money with it, all the while perpetuating their fraud. Now they are giving me back a portion of my money in exchange for my car. I should be refunded the complete cost of my vehicle AND receive compensation for the fraud. The settlement allows VW to keep a portion of the money I gave them for a vehicle that NEVER was what they promised. They also get to keep the interest they made off my money. It seems the victims aren't being looked after as much as the VW Corporation. It is a bit like a thief robbing someone and being allowed to keep a portion of what they stole. I do not believe they should be allowed to keep a single penny of my money. I ask that you revisit your decision and recognize that those of us who bought these cars and drove them are the victims. VW intentionally defrauded us. They sold us a bill of goods. I want my money back. All of it. Anything less is allowing them to get away with this criminal act.

Respectfully, Tom Hart

From: Gabe Harvey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 8:57:07 AM
Subject: <no subject>

I am the owner of 2010 TDI affected by the scandal.

I feel the compensation is inadequate. The values I'm being shown as pre-scandal September 2015 NADA values as according to the website are certainly 3-4k lower than I know they should be, which basically negates the 'restitution'. I have continued to drive this car for 9 months while would gladly have traded in, but no one would offer a reasonable value. Since the scandal broke, my navigation system and air conditioning have failed which have made driving the car miserable.

VW should be forced to pay back the original purchase price paid for the vehicle as a result of this INTENTIONAL deceit used to fool customers into buying their vehicles.

Also, less money should go to the state and federal government in the form of fines and more to the VW owners to achieve justice.

The government agencies are now just using this to pad their budgets, while VW owners are still broke and worse off.

-Gabriel Harvey


From: William Hattan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:06:01 PM
Subject: Fwd: Reuters 8/5/16

To whom it may concern, settlement commentary attached

Begin forwarded message:

From: William Hattan [REDACTED]
Subject: Reuters 8/5/16
Date: August 5, 2016 at 3:45:14 PM EDT
To: [REDACTED] Amanda Poole [REDACTED]

Dear Max,

After we spoke yesterday, I did discuss with my wife our opting out of the class. She is more willing, at this time, to remain with the class suit, but I'm still trying to convince her otherwise.

Since the negotiations of the settlement began, several important facts have emerged, and they should have greater leverage in the settlement all victims should receive.

In a lawsuit filed on July 19th by NY Attorney General Eric Schneiderman, et al, disturbing facts about the duration, and depth of deceit orchestrated by VW are presented. At the very least, we can now certainly dismiss any claims "that a few rogue engineers were involved". This crime was developed and executed under Senior Management that in all probability included Matthias Muller himself. Even more damning and obvious is the fact that Senior Management conspired in every means possible in the coverup.

Everyone involved in this crime wants a speedy resolution to the settlement. Remember my wife and I own, under lien by VW Credit, two affected vehicles. We want to move on, but certainly VW is in desperation mode to put this behind them. On July 28th, Volkswagen surpassed Toyota as the world's largest automaker for the first half of 2015, fulfilling a long-held obsession. That obsession provided the motivation for their crimes, and it worked. They have all the resources necessary to provide ALL victims with a proper settlement.

That settlement, to a minimum, should be \$7,000 to \$14,000 higher per vehicle. More facts and evidence are currently being uncovered, and it will be an utter embarrassment to our Class when juries start levying huge settlements to those who wisely choose to opt out. These juries will be made aware of the corruption that continues to be uncovered. I am not certain whether or not my wife and I will remain a member of the Class action, but I continue to urge LCHB to forge ahead for a more fair and reasonable settlement.

These are the words of Attorney General Eric Schneiderman;

"The idea that this level of fraud could take place and involve so many people at such high levels of a major international corporation is appalling." Eric T. Schneiderman, the New York attorney general, said at a news conference in New York, describing what he called "a cunningly cynical fraud at the heart of this scandal."

This was reported this morning by Reuters;

"Influential U.S. magazine Consumer Reports urged the Justice Department to hike compensation to 475,000 owners of polluting Volkswagen (VOWG_p.DE) diesel vehicles and allow owners who opt for a fix to reconsider.

In comments filed on Friday on the proposed agreement, the magazine said the buyback offer undervalues retail prices and urged the use of values that "would lead to buyback offers for consumers that would be at least several hundred dollars higher."

Consumer Reports also wants owners who opt for a fix to be able to change their mind and instead sell the car back to Volkswagen because the car may perform differently once a fix is performed.

The public comment period for the Volkswagen consent decrees ends on Friday. U.S. District Judge Charles Breyer granted preliminary approval on July 26 to the settlement, which includes the largest-ever U.S. automotive buyback offer, and set an Oct. 18 hearing to grant final approval.

Volkswagen agreed to spend up to \$10.033 billion on the buyback for 2.0 liter vehicles that emit up to 40 times legally allowable pollution. It has agreed to separate settlements worth \$5.3 billion to offset excess polluting, boost clean vehicles and compensate more than 40 U.S. states.

Volkswagen and the U.S. Environmental Protection Agency did not immediately comment.

Consumer Reports said it generally supported the settlement, but urged "regulators to wield robust oversight of Volkswagen to ensure that the company implements its recall, investment, and mitigation programs appropriately" and it called on "federal and state officials to assess tough civil penalties and any appropriate criminal penalties against the company in order to hold it fully accountable."

VW still faces fines for violating the U.S. Clean Air Act and a potential consent decree that would subject it to oversight by an independent monitor, and must resolve the fate of 85,000 3.0 liter polluting vehicles. It also faces new civil suits from New York, Maryland and Massachusetts for violating state environmental laws as well as an ongoing Justice Department criminal investigation."

Thank you Max for your concern and professionalism.

Sincerely,
Bill and Susan Hattan

From: Heidorn, Samuel
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 6:52:38 PM
Subject: Volkswagen Diesel Emissions Scandal

Good Evening,

I would like to voice my concerns as a member of this group of individuals.

My Name: Samuel Heidorn
My Vehicle: 2011 Volkswagen Jetta Sportwagen Diesel
My VIN (For verification) : [REDACTED]

I purchased this vehicle shortly after getting my first job after the military. I was quite worried about the civilian job market and found a good job, unfortunately it was located about 40 miles away from where I live. After debating this and doing my research, I decided that if I had a fuel efficient car that I still enjoyed driving, I wouldn't have a problem making the hour commute each way. I looked around and by far the best available option was the Jetta and Golf TDIs, unfortunately they were a bit out of my price range. So I waited, and saved, and watched the web to find a deal. I did find a great deal on a 2011 Jetta Sportwagen TDI. I needed the wagon because I have 3 dogs and one is a Mastiff, basically I needed seating for 5 large adults.

I purchased the Sportwagen with 33k miles on it and bought the bumper-to-bumper extended warranty for about \$2500.00 that would cover me another 100k miles. I was solid, I was proud of my purchase, proud of my clean diesel. I am an environmentalist at heart and in practice so driving a clean, high MPG vehicle that was comfortable and still fun was perfect for me. I even got the license plate "MORE MPG" to show the world how savvy of a consumer I was. I convinced my father to buy a Toureg Diesel with my fervor. I convinced my die-hard liberal, Prius owning friend to get a Golf TDI. I bought a roof rack and a roof basket, I bought a trailer hitch. I upgraded the music. I bought a small trailer for it.

Boom. Scandal.

"We are going to make it right and fix these cars" They said, sent me a goodwill package. Great I thought, I went and got an 80,000 miles service and bought a couple replacement wheels for the car with the goodwill package, they were going to make it all better right?

Now, I look like an ass. My friends and family trusted me. I trusted me. I trusted Volkswagen, one of the longest running names from the country that brings us the pinnacle of driving machines. I'm driving around with a license plate that no longer says "I'm Savvy", it now says "<- I'm with stupid" My friend is heartbroken over her purchase of the Golf. My dad is taking it in stride, which is pretty good of him considering he just dropped \$40K cash on a vehicle with an uncertain future.

I'm angry. I'm angry at VW for pulling this BS. I'm angry at myself for still loving my car. I don't want to get rid of it, my needs haven't changed. I still commute almost 100 miles a day. I still have my three mongrels to cart around. What am I supposed to get that will fill this void? There is nothing even remotely similar. Sure, I could jump into a BMW or Mercedes diesel wagon and fill the role. Anyone want to loan me \$60 grand?

My points in a nutshell.

- A. Almost everyone who bought this car bought it for higher mileage applications. 15,000-20,000 miles a year should be the standard, not the exception.
- B. This has dragged on for almost a year now, with small, piecemeal snippets of information slipping through the cracks. There should be a penalty for making us play "Clue". I would not have done the \$600.00 80k service or bought new tires had I known I would be selling it back in 9 months.
- C. There needs to be some modifier for those folks who put money into their car for longevity. Extended warranties, trailer hitches, roof racks, these are all car specific and cannot be transferred. There needs to be an allowance for this. The \$5,000 they are offering will just cover the money I've put into it.

That's it. Not a long list, just a long email. The chart shows that I will get between \$18,000-20,000 for my vehicle, minus "over-mileage". I paid \$17,500, (plus taxes at 8%) put another \$5,000 (plus taxes at 8%) into it so it would be the car I drive for the next 10 years. Now I am supposed to find a comparable vehicle for \$16-18,000? There isn't one. And the values on competing vehicles are shooting up as 500,000 new customers are starting to buzz around, all with almost the exact same requirements....

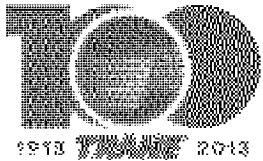
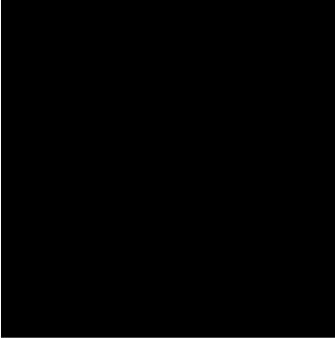
Drop the mileage modifier

Add money for money put into a throw-away car.

Penalize them for dragging my life out for almost a year with no information.

Thanks for listening.

Samuel Heidorn



From: Blaine Helmick
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 11:11:43 AM
Subject: Comment on VW Diesel Litigation Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

RE: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

My wife and I were the owners of an affected Volkswagen TDI vehicle that will fall under this litigation. We are writing to express our concern that this settlement proposed does not cover our unique situation and we are asking for consideration by the involved parties settling this case.

We owned a 2009 Jetta TDI 2.0I Diesel vehicle that was involved in a traffic accident in January of 2016 that resulted in a total loss of the vehicle. The value of the total loss offered by our insurance company was substantially less than the payout offered in this settlement. In other words, the value of our vehicle was negatively affected by VW's deception; thus we received less compensation for our loss than we would have had the vehicle been involved in a similar accident prior to September of 2015.

We believe that among the hundreds of thousands of vehicles in the US affected by this settlement there are others who are in similar situations; therefore, we are asking that consideration be given in the settlement for our circumstance. More specifically, we are asking that owners with qualifying vehicles declared a total loss after September 17th, 2015 be compensated with the difference between the payout agreed to by VW and the payout received by their insurance company.

Given the circumstances, we believe this is a fair result that would avoid further litigation from parties in situations like ours.

Thank you for your consideration.

Sincerely,
Blaine and Tammie Helmick.

From: Duane Hendricks
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 10:56:56 AM
Subject: Volkswagen comments

I just wanted to forward my comments regarding the Volkswagen diesel issue.

I calculated my buyback and I guess I will be ok with that portion but am very disappointed with having to pay all the state taxes on a new vehicle purchase with that said money.....this is wrong to place that burden on the consumer!

What Volkswagen did was wrong and it seems the consumer still has to get punished with extra costs when vw knowingly violated the law

Please consider some sort of tax credit as well

Thanks

Duane Hendricks



From: Peter Henin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:23:33 PM
Subject: re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

Current TDI owner of a 2011 Golf TDI purchased brand new at the end of 2010.
Odometer reading = 135k miles.

Concerns with proposed settlement:

1 - NADA Clean Trade in is used. I never purchased this car with the intent of trading it in. Trading in a car is for someone who "has to drive a newer car". The settlement should be based on NADA Retail Value.

2 - Mileage adjustment. People purchase TDI's if they have a long commute. My 50-mile-each-way commute makes up 25k miles a year, not including any personal driving I do on the weekend. One sales pitch the dealers use is that "diesel engines can go a million miles - 18-wheel trucks use diesel engines because they never die". Most people see my 136k miles as a lot, to me its just the beginning. To be penalized based on a scale standardized on the common 12k mi/year metric would not be applicable. In Fact, given the roughly \$4k add-on for the diesel engine vs the gas, the economics of the TDI don't break even until about 100k miles on the car. For a low-mileage driver, that could take 10 years. For the TDI's target audience, that could be as little as 3-4 years. A TDI with 100k miles is young, while a gas car with 100k miles may be near the end of its life.

3 - Purchasing a car involved many more fees than just the price of the car. Sales Tax, Registration, etc all add up to an extra few thousands of dollars of cost that everyone will incur again in purchasing another car. There should be some kind of incentive where VWoA offers to pay the sales tax on the new vehicle up to the amount of sales tax paid for the TDI.

4 - VWoA should guarantee reasonable fixed pricing on new cars within the VW family. Otherwise, dealerships will see 500k new customers, many of which will stay loyal to VW, and have no incentive to offer fair pricing. I don't want anything for free, but I don't want to pay MSRP just because vehicle Demand temporarily exceeds vehicle Supply at the very moment I (and 500k other people) need a new car. Many of us cannot afford to postpone the replacement purchase by many months to let the market reach equilibrium again.

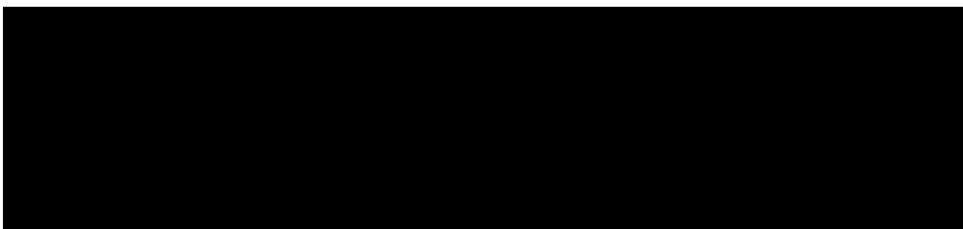
General Comment:

I think the settlement is definitely in the right direction, and it is a promising start. But it certainly does create an additional hassle for TDI owners. If this were due to an engineering oversight or design mistake, it would be more forgivable. But this was an intentional act of fraud.

Thanks,

--

Peter Henin, PE



From: B Henry
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 6:24:50 PM
Subject: comment on VW diesel settlement terms

Dear Assistant Attorney General,

As an owner of two Volkswagen TDIs (both purchased new, in 2009 and 2012), I'm writing to comment on the proposed settlement.

While most of the settlement terms seem fair to the consumers deceived and defrauded by Volkswagen, the basis of valuing the cars--trade value as of September 2015--does not. The trade value of used vehicles is always less than the sale price (either as a private sale or at a dealership). Many consumers, including myself, would sell the car directly rather than trade it in. The difference between trade value and retail value for the cars that I own is \$1,000-2,000 per car. Considering that I had no plans to sell or trade either car until Volkswagen's deception was discovered, I should not lose \$2,000-4,000 because the settlement uses the trade value of the cars. In a truly just world, Volkswagen would have to reimburse TDI owners the original purchase price of their vehicles. While that scenario seems unrealistic, requiring Volkswagen to pay TDI owners the retail price of their vehicles (instead of the trade value) seems fair and reasonable.

Thank you for your time and attention.

Sincerely,

Brian Henry

From: David Hernandez
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 5:37:16 PM
Subject: 2012 Jetta Sportswagen

2012 Jetta Sportswagen TDI

If your goal is to remove polluting cars than VW should buy back the cars at full price.

I bought my sportswagen TDI after an exhaustive search for a car that was roomy, fuel efficient and environmentally responsible. My wife owns a Prius so the latter is very important to us. The VW TDI was and is the only car that meets all those criteria. When I researched for this car I read a lot of reviews from blogs to professional automotive writers. All the reviews talked about things that can be perceived or reasonably measured. No one did a scientific review of its emission standards until years later. It wouldn't have mattered because VW cheated to circumvent those standard tests.

I consider myself to be a environmentally conscious person. I ripped out my grass for native water conservative plants, I water the lawn with my laundry water discharge and I have solar power roof panels. So when news broke that VW cheated and I was inadvertently polluting I was not happy about it. I would have never bought this car if I knew it did not meet emission standards.

The buy back seems reasonable on the surface but after I subtract what I still owe on the loan I end up with wholesale price. I know what the wholesale price is because days before the news broke VW tried to buy my car and it's about what they are offering now. In addition, if you add up the purchase price, taxes, extended warranty, interest on the loan and maintenance on a car that I would have never purchased in the first place then the buy back is insulting. The only fair thing to do is to buy back the cars at full price.

Thank you,

David Hernandez



Michael Shawn Herriott



To: Kristen H. Haloj, Department of Justice, Environment & Natural Resources,
Environmental Enforcement

RE: Public Comment by VW Diesel Owner on consent decree on proposed class settlement
CASE NUMBER: 3:15-cv-04278

Date: July 27, 2016

To Whom it May Concern,

I am an original buyer and still owner of a 2013 Volkswagen Turbo diesel station wagon "Eligible Vehicle" and claimant on the Volkswagen Dieseltgate Settlement.


I am writing to comment in protest the inadequate settlement tentatively agreed to by the court.

I was sold a vehicle by the Volkswagen Corporation who knowingly, intentionally, and falsely marketed and sold me a vehicle as "environmentally friendly diesel." Such false advertising for any other product would require a full original refund. Plus, this vehicle is poisoning us! The compensation proposed is less than what I paid. Further, the compensation is not accurate as I will have to taxes on the settlement benefit! And where is the compensation for my family inhaling the fumes from this vehicle?

The Volkswagen Corporation should MINIMALLY take the vehicle back and provide FULL reimbursement of the original sale price, in addition to the income tax I will have to pay. I am stuck with this poison emitting vehicle that I won't even let my family ride in or park in our garage.

I request that the court look from the owners perspective who were INTENTIONALLY CHEATED and require the Volkswagen Corporation to buy back these LEMONS at FULL value, tax included. It's only right.

Respectfully,

Michael Herriott
Cheated Owner of 2.0 liter "Clean Diesel" Volkswagen
VIN No.: 

From: Russell Hiatt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 5:20:39 PM
Subject: unfair evaluation on cars

I bought my car used on a new car lot Nov 21 2014. I paid 15204.80 for my car 5000 in trade in and financed 10204.80 . Now if you subtract the 5100 from there settlement offer they saying my car was worth 7 or 8 thousand in September of 2015 less than 10 months after I purchased the car. During that 10 months I had new tires put on apr. \$750 had a normal service done at vw apr. \$100 and had a major service (timing belt ,water pump,pulleys, other belts and timing belt tensioner and a few other things) ove \$1500. plus VW replaced my entire fuel system because of a bad fuel pump that was under investigation for recall over \$7000(I paid the 3 or 4 hundred dollar tow bill). So in the 10 months prior to september I spent over \$17500 (+ the towing from there faulty fuel pump that left me stranded) on my car I was planning on keeping. In Texas diesels bring a premium especially the one with less than 100000 miles mine has under 90,000 now had under 75000 in September and right around 70,000 when I bought it . I think that value should be full retail plus taxes since that is what we had to pay for the cars. I was scammed by VW and the EPA considering both knew what was going on when I bought my car but I didn't. So why should I be the one that has to take the loss. The EPA should be paying us not them getting paid considering they kept this from the consumers for over a year. I have since spent more on the car all I put in this is what I put out (minus insurance fuel and other small maintenance items) before Sept 2015.

Thanks Russell Hiatt

From: Brent Hilleman
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]
Sent: 7/13/2016 10:18:49 PM
Subject: Vw diesel buyback

In my opinion the buyback mileage adjustment should be based on mileage driven since the scandal broke. I have service records indicating my mileage from last September when I had planned on selling the car. After the scandal broke I couldn't sell my car so just decided to drive it everyday vs driving my truck since I was taking a loss. With the current mileage adjustment I don't believe I will be selling back or choosing the fix till it is well proven. If any performance is lost I won't be doing the fix unless mandated by law.

Thanks for your time,

Brent Hilleman
BH Watershots

From: James Hodgins
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 9:40:05 AM
Subject: Public comment for VW Diesel Emission Settlement

DoJ Settlement Team,

I own a 2012 VW Jetta SportWagen that is covered under the terms of the proposed settlement. After reading the proposed terms of the settlement, it seems that the estimated buy back amount that I would receive for my vehicle (approximately 9,000) would not be enough to allow me to replace my VW with a similarly equipped vehicle that provides a similar amount of power and fuel efficiency.

I wonder if the proposed settlement terms considered the additional costs incurred by owners who only had their VWs serviced at authorized VW dealers according to the VW schedule. The operating costs for VW owners is higher than most other auto brands, because VW factory service is costly, and I think that owners who took care of their cars with VW, and on VW's factory maintenance schedule, should receive additional compensation. The dealerships have service and maintenance records for all of the vehicles that they serviced, so that should not be an onerous burden on VW of America. Please include language in this settlement that compels VW to truly take care of the dedicated VW owners who worked with, and paid VW to take care of their vehicles.

Alternatively, consider requiring that VW of America offer to replace their diesel vehicles with new, similarly-equipped, gasoline-fueled VW vehicles without any cash payments, along with the cash payment + buy-back option, and the cash payment + modification options.

Thank you,

James Hodgins

From: Dan Hoffa
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 11:15:54 AM
Subject: VW TDISettlement

As an owner of a 2015 VW TDI I am concerned that the settlement does not show that VW will also reimburse the sales tax that we paid in addition to the buy back. The settlement should be based on the September 2015 book value plus the tax and plus the settlement amount.

Thank you
Sent from my iPad

From: Paul Hollstein
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 8:20:49 PM
Subject: VW Settlement Public Comment

As the owner of a 2014 Volkswagen Jetta Sportwagen TDI, I object to the Class Action Settlement in In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, No. 3:15-md-2672 (N.D. Cal.). I propose the following modifications to the class action settlement:

1. Clean retail value and not clean trade value should be used for compensating owners. I am not trading in the vehicle. Rather, I'm selling it back as a retail transaction
2. An additional payment to cover taxes and fees paid at or immediately after purchase of the vehicle should be added to the buyback amount. An amount equal to what was paid in tax, title, license and dealer documentation fees should be reimbursed to TDI owners

Thank you,

Paul Hollstein

[REDACTED]
2014 Volkswagen Jetta Sportwagen TDI

VIN: [REDACTED]

Purchase Date: 10/6/2014

From: Twila Hoon
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 12:11:54 PM
Subject: comment on VW settlement

Overall we are impressed at how quickly it progressed. That being said it seems uncertain that the buyback price and compensation for our 2011 Jetta Sportswagen TDI will actually serve to return me to the position we would have been in if the vehicle was the investment we thought it was. For example we purchased this vehicle because we drive all over the state for employment and the mileage and 'life expectancy' of the diesel in addition to it being a 'greener' choice were weighted heavily. Now with the buyback we'll be given a purchase price that doesn't seem to take into consideration that we expected this car to be easily into a ten year plus age before we'd have to replace it and the dealership touted this life expectancy as a selling point. To an extent there is also the shared shame that VW drivers have received as a result of the fraud and the assertions we made about it being a greener choice now raised in mockery.

Additionally, on the reputation of the 2011 we purchased a second TDI in 2015 which has significant amounts owed on its loan. With the current settlement language the buyback doesn't appear to consider compensation to drivers whose settlement will pay off the loan and not much over that amount. So the driver may be 'freed' from the loan on the vehicle but not be made whole due to the need to start over on a loan with no trade in vehicle. We would like to see more addressed as to that scenario as a lower priced vehicle would have been chosen but for the reputation and promised performance.

Overall we're glad to see the settlement coming together but worry those with older, high mileage cars will be under-compensated for believing that we were making a long-term investment and those with the newest model will simply see their loans paid off (if the amount is sufficient to pay off the loan) and not have the trade-in or sufficiently large down payment to enter into a new agreement and obtain a vehicle as good as the fraudulently touted Jetta TDI.

Thank you for hearing our concerns.

Stephan Witz & Twila Hoon Witz

Twila A Hoon



From: Wilson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 11:58:32 PM
Subject: TDi owner

To whom it may concern:

As a TDi owner, I'm outraged at the level of deceit that VW has undertaken. The number of years and the number of cars is staggering. I'm inclined to sell my car back to VW, but that would put me out there in the market for a car and I would not have the same amount to purchase a car again (including taxes and licensing). VW, I believe needs to better compensate owners who purchased the vehicles new. I for one was totally duped and misled. I can't easily go out there to find another car that would perform similarly and over the lifetime of the vehicle (conservatively say 20 years) I am now forced to pay more for gasoline. With the difference of 10mpg, that would amount to 104 extra gallons each year over 18 years for me. If the price of gasoline over the 18 years averages say \$3.50 / gal, we are looking at a difference of \$6562. The compensation should include more money to compensate for this difference as well as for damages. We the consumer had put trust into the vehicles that we purchased not only for the environment, but to be frugal with expenses. I do not think that the buyback goes far enough with the compensation.

Regards,
Wilson Hu

From: James Huang
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 7:26:32 PM
Subject: VW Settlement - Public Comment

Hello,

I am the owner of 2011 Jetta TDI Sportwagen.

The mileage adjustment use for buying back the TDi are not a fair system to calculate the value. That system is for free market under normal condition, when there is a buyer/demand for these TDI.

Most of us brought the TDI for long commute due to its great mileage, otherwise we would have gone to Hybrid.

We are being "forced" to sell back... so there should be no market value using the mileage calculation, since no demand for these TDI (Will VW resell these TDI in USA or any place in the world?)

The fair buy back value should be WITHOUT the mileage adjustment.

Thank You.

Thanks,

James Huang | Sr. Compliance Manager

Direct: [REDACTED]

Email: [REDACTED]

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From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 4:15:46 PM
Subject: Diesel Settlement

I have a low mileage 2015 Audi A3.

The settlement options seem reasonable to me, and I'll likely take the fix provided HP and MPG are not too drastically impacted.

Comments that mileage should not be a factor in buy back calculations seem more than a bit far-fetched. Of course mileage should be considered.

Rawson Hubbell
[REDACTED]

Sent from my iPhone

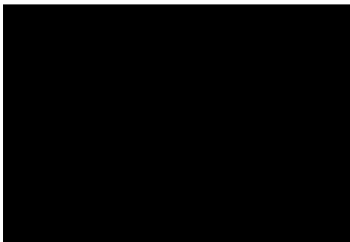
From: Allen Huffstutter
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 11:54:46 AM
Subject: VW settlement

I own one of the VW diesel vehicles that is covered by the proposed settlement. I strongly believe that the eventual settlement the court approves should include additional compensation to owners for documented expenses they incurred to maintain covered vehicles between the time the scandal was first reported and the time Volkswagen actually begins buying back cars.

After the emissions scandal made the news, I approached the dealership where I purchased my vehicle and proposed a trade-in on terms that were very close to the settlement that the court is now considering. The VW dealer would not accept the terms I offered because Volkswagen would not contribute to the transaction.

Since making the offer to the VW dealership, I have had to replace the tires on the car at a cost of \$411, and I have needed to have the vehicle serviced at a cost of \$75. I would not have incurred either of these expenses had Volkswagen been more timely in reaching the proposed settlement. I believe the settlement should include those costs.

Allen Huffstutter



From: Jennifer Hughes
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 3:09:25 PM
Subject: Comment on the Volkswagen Diesel Emissions Settlement

Dear Department of Justice,

I am a Volkswagen Diesel Emissions Settlement class member as the owner of a 2011 Audi A3 with all the options.

I purchased an extended warranty, the "Audi Pure Protection Extended Service Contract" from Beverly Hills Audi, which cost around \$4,000 (I would have to check my records for the exact amount). For class members electing the buyback, it seems only fair to compensate for this expense or some portion thereof depending on the percentage of time/miles used, upon submission of proof.

PS: I am one of the committed green buyers who carefully selected a car between the options of electric, hybrid and diesel. I currently walk or ride my bike to work and separate my recycling.

PPS: I had trouble getting my car smogged for months because it kept failing the pre-test, but finally passed on the actual test.

Regards,

Jennifer Hughes



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From: Rhughes
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]
Sent: 8/5/2016 5:12:14 PM
Subject: Volkswagen Diesel emissions settlement

To Whom It May Concern:

As the owner of a 2010 VW sport wagon diesel I would like you to consider my opinion on the potential settlement with consumers that VW is working to finalize. I purchased this car as a "greener" alternative to using conventional vehicles for my work travels, work commute and personal trips. I spent a significant amount of time researching the car market, Hybrids, electric vehicles and such and arrived at purchasing the Jetta Wagon TDI with a manual transmission, pre owned. I traveled to San Diego, Ca (100+ miles from home) to make this purchase as it seemed the manual transmission (6 speed) was a rarity in the market. I bought this car for its fuel economy, ease on the environment, reliability, sporty drive feel and comfort as well as the VW reputation with consumers providing great resale values. It now seems that several of the reasons I researched and purchased this car are going to be taken away by VW's scandalous deceptions of consumers, the government and regulators as well as deceptive and false advertising practices.

I have read the highlights of the settlement and am voicing my dissatisfaction with the proposal.

- First off, when I bought my PRE OWNED VW, I paid a premium price for it. I paid about \$2000 USD above what the NADA values were at the time. These cars were rare to find and brought premium price. Even the old VW turbo Diesels bring a premium price. My son drives a 2002 VW golf that was purchased with 105,000 miles on it a few years back, the NADA value on that car was \$5500- \$5700 and he paid \$7800 on an asking price of \$8000. The guy selling it said "if you don't want it, the next guy will buy it"! (Funny, that was similar to what the pre owned dealer in San Diego told me too when I tried to negotiate the price).
- The settlement looks to offer a buy back at the pre scandal values based on a clean car from **the NADA book value** – THIS DOES NOT TAKE INTO ACCOUNT THE PREMIEM PRICE WE ALL PAID.
- On my recent visit to the VW dealer to have the emission recall campaign performed, I spoke with the dealer about there 2016 TDI models. He said they are all just sitting waiting for the fix and the go ahead to sell, I asked with he thought VW would have any incentives and he laughed; he said, VW has never had incentives on the TDI models, they don't need to because they sell so fast at retail price (which is a premium price \$2000-\$5000 above the non Diesel price)
- Since having the recall campaign completed, My check engine light is coming on intermittently, the code read from a scan shows the diesel particle filter may be clogging or cracked. This according to VW will cost \$2500-\$3500 to fix – It makes me wonder if this issue was also being masked by some "cheating" software with hope from VW that the car will get past the 80,000 mile emission warranty! (if they cheated once maybe the regulators should look at the rest of the engine computer code) Lets face it, VW makes really good money selling parts and service!

In summary, I believe VW should offer a buy back, **but at the premium cost that VW owners paid**, it is widely known by the consumers that the TDI cost a few thousand more. **Then, a compensation above and beyond as a settlement to the deceptive ads and false advertising** should be levied against VW, and for the owners grief. A second option to keep the car and have it fixed should be in play but not as a final "take this or that". VW should fix my car, give me the opportunity to drive it, try it for a period of time, say 1 year and then have the option if I am still dissatisfied, to turn in the car, get my premium price and a settlement.

VW cheated, VW caused this, our regulators did not discover it – lets not penalize the consumers here, I plead with you to do the right thing, Make VW pay and make this right, NOT THE CONSUMER.

Respectfully,
Ray Hughes
VW Jetta VIN [REDACTED]

From: Traci Ingram
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 4:47:52 PM
Subject: My 2013 Golf TDI

I am the original owner of a 2013 VW Golf TDI.

I thoroughly researched the vehicle before buying it and have found it to be an excellent car, the best I have ever owned (my 9th).

Though the management at VWAG is frustratingly inadequate, the car I drive is still an excellent vehicle. My child and I drove this car from Jacksonville, FL to Asheville, NC on a single tank of fuel. It was incredible.

My real preference would be to leave the car totally alone and not subject it to repair, but if it must be repurchased or altered, I choose alteration.

I want to drive this car for many more years.

Best car ever.

Thank you,
Traci Ingram
[REDACTED]

From: Chris Jackson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 5:09:39 PM
Subject: Buyback Values too Low

After reviewing the initial buyback values for my vehicle, I am unhappy with the preliminary values. I purchased my vehicle in 2013 for \$32,000 and my buyback value is now only around \$22,000. I fully understand that's what happens when you purchase a new vehicle, the resale value quickly becomes eroded. However, I was planning on keeping my car for 10-20 years. I tried to buy my model used, but there was only one decent one available in the greater [REDACTED] area. It was purchased while i was test driving it. There simply wasn't much of a used car market for TDI Volkswagens because most owners had the same thinking as I did. Buy one and keep it a very long time. I had no intention of purchasing another car for many years and now I'm forced to have my car modified (and likely ruined from a performance perspective), or to shell out another 10 thousand dollars to get a comparable car to the one I already own. The \$5,100 minimum cash penalty should be about double that in my opinion.

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 4:21:36 PM
Subject: VW Settlement - Public Comment

I purchased a 2013 VW Jetta TDI brand new from the dealership. The fact they offered "clean diesel" when no one else did was the biggest factor in my decision. I don't think the proposed VW settlement is fair to us. To give us book value, even though its from before the news hit in Sept 2015, but take into consideration the current mileage at "buy back" is ludicrous. How is that fair? What I think they should do is refund the full purchase price of the vehicles! We were intentionally tricked, deceived, lied to, and taken for fools! I want my full purchase price back! I was sold a vehicle by criminals to lied to hard working consumers to sell their cars. I traded in a perfect 3 year old BMW and took out a loan to pay for my Jetta. They are criminals. The only fair thing to do is let us return our cars for a full purchase price refund. Any additional payment because of their foul play is also welcome!

Thank you.
Donna S. Jacobs

[REDACTED]

From: Robert Jacobs
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 10:16:45 AM
Subject: VW TDI settlement trade in vs. retail value and sales tax

I am writing to express my concern over the use of trade in value vs. retail value in the VW TDI buy back program. I feel that using trade in value is not the correct method since no person in the class is voluntarily trading their car in. We are, in essence, being forced to give our cars back. We will then have to purchase a new(or used) vehicle in order to replace our VW TDI's, of which we will be paying retail for our new vehicles, as no dealer in their right mind would sell a vehicle to an individual at the trade in value. From what I can tell retail values are somewhere between 15 and 20% higher than trade in prices.

The other item that seems to be missing is a sales tax payment or refund as I believe almost everybody was required to pay sales tax on their vehicle purchase of some amount. Here in Texas I believe it is around 8%, but might be slightly higher.

Thank you for your time

Robert Jacobs


From: Jake
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 8:07:27 PM
Subject: VW Diesel Comment

I am an owner of an affected tend VW diesel and feel the mileage calculation is unfair. I drive more than the monthly mileage allotted based on the calculation tables. I also have service records that can be used to determine my mileage in September 2015. There should be other options for proof of mileage.

Sent from my iPad

From: debbesunshine
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 6:19:05 PM
Subject: Fwd: VW diesel fraud settlement

----- Original message -----

From: debbesunshine
Date: 07/07/2016 9:37 PM (GMT-08:00)
To: CRBpo@cand.uscourts.gov
Subject: VW diesel fraud settlement

To whom it may concern,

What I would like to say is Are you kidding???? But let me be more clear.

I totally reject the VW deal for the owners. I spent over a year researching buying my first new car in 12 years. I wanted a deisel for their longevity and I wanted a clean emission, safe, fuel economy and a fun peppy car to drive. Then I read VW info on the VW passat tdi sel, took it for a spin and decided this was my dream car. It advertised everything I wanted and I believed them and bought a brand new 2014 top of the line decked out tdi passat because my plan was to have it for 15-20 years.

When the deisel cheating was re ealed, I had only had my car for 13 months. Barely broken in.

Now I have a car that plummeted in value and VW doesn't even know if they can fix it. Even if it is fixed, it won't be the same car.

Now I have read the supposed deal with VW and the big fines the EPA and California will receive and the joke of a settlement for owners.

I want it known to the courts that I feel like as consumers we are getting screwed royally. Its bad enough that the compensation for our trouble is associated with the value of our car as if someone with a lesser value car wasn't lied to and cheated as much as someone with a more expensive vehicle. Fraud is fraud and we all should be given a substantial amount for the sleepless nights and worry and trouble we have had through NO fault of our own. And as for the buy back. That is a joke. I NEVER, let me repeat NEVER would had bought the car in the first place had I known of the truth of the car. We deserve to have our cars bought back for the full value that we paid for them. Why should we get penalized for someone else's fraud. And knowingly and intentionally fraudulent acts at that. This is not my fault. Had I had the facts, I would not be a VW owner today but that choice was taken away from me by the lying and cheating from VW.

I am asking that you reject the consumer part of your negotiation. We are the real victims of this fraudulent crime. Don't you punish us too by not giving us our money back and all of the funds that we have spent on the VW lie.

Respectfully,

Debbe James
Owner of 2014 VW TDI Passat SEL

From: Jassem, Harvey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 10:35:52 AM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Reference No. 90-5-2-1-11386.

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Reference No. 90-5-2-1-11386.

I own two VW TDIs and I am not satisfied with the proposed VW-diesel settlement for the following reasons

At most, the settlement will have VW buy back the cars or "repair" the cars and pay owners some cash while extending the warranty on related parts, while also paying the government and attorneys.

This does nothing to punish the company for intentional fraud. It may pay for some or even most of the damages, but does not have any punitive payments. VW should be punished.

As an owner of two TDIs, my intention when buying the cars was to keep them for approximately 15 years each, which is my track record for previous cars I've bought new. (Yes, I'm old enough to have done this several times.)

The proposed settlement forces me to change my pattern and will cost me money.

If I sell the car back, even with the extra cash, I will lose money — both in terms of the additions I made to my car, believing it was a long term investment, and because I would take a hit in having the car valued as a sale in the years when it most depreciates. Not fair. I should also be compensated for the damage to my health and to the health of others I've caused by driving the VW cars that were sold to me on the promise of being "clean."

If I want to have the car fixed, and if there is a fix available, the fix will be untested in terms of the longevity of its effectiveness and its impact on driving/fuel, etc. If it fails after the warranty, I'm out of luck.

If it fails during the warranty and isn't really fixable, I can invoke a "lemon law like provision," but again would be inconvenienced and hurt financially.

To even consider having the car fixed, I may have to wait until 2018 - knowing that I am polluting the air until then.

That's stressful and unhealthy. And, as I understand it, while VW will have to disclose the impact of any proposed fix, I won't know how the car "feels" to drive until after it's fixed. If I don't like the feel but if it meets the promise, I'm stuck. As a lay person, I don't know what to expect if VW tells me the car will have X fewer horsepower or Y% less torque after the fix. I'll only know if I drive it. I bought the cars based on test drives and the emissions/mileage promises. If there's a fix, I won't have the opportunity to "test" drive the fix and then decide whether or not to sell the car back. I should have that right. And any "fix" should be warranted for the life of the car.

I should be given non-diesel low-emission loaners while I wait to see what the "fix" (if any) will be. I should not be forced to drive these cars for the next couple of years. When and if a fix is devised, I should be given the opportunity to test drive the fixed cars, and then if I am satisfied, I should be given compensation for the inconvenience and the fraud. I should also get a lifetime warranty on the fix. If I am not satisfied, I should have the right to sell the cars back to VW and get a more substantial payout for the reasons noted above.

Thank you.

Harvey Jassem

From: Jassem, Harvey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 10:33:52 AM
Subject: proposed VW settlement

I am not satisfied with the proposed VW-diesel settlement for the following reasons

At most, the settlement will have VW buy back the cars or "repair" the cars and pay owners some cash while extending the warranty on related parts, while also paying the government and attorneys. This does nothing to punish the company for intentional fraud. It may pay for some or even most of the damages, but does not have any punitive payments. VW should be punished.

As an owner of two TDIs, my intention when buying the cars was to keep them for approximately 15 years each, which is my track record for previous cars I've bought new. (Yes, I'm old enough to have done this several times.)

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If I want to have the car fixed, and if there is a fix available, the fix will be untested in terms of the longevity of its effectiveness and its impact on driving/fuel, etc. If it fails after the warranty, I'm out of luck.

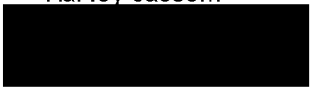
If it fails during the warranty and isn't really fixable, I can invoke a "lemon law like provision," but again would be inconvenienced and hurt financially.

To even consider having the car fixed, I may have to wait until 2018 - knowing that I am polluting the air until then. That's stressful and unhealthy. And, as I understand it, while VW will have to disclose the impact of any proposed fix, I won't know how the car "feels" to drive until after it's fixed. If I don't like the feel but if it meets the promise, I'm stuck. As a lay person, I don't know what to expect if VW tells me the car will have X fewer horsepower or Y% less torque after the fix. I'll only know if I drive it. I bought the cars based on test drives and the emissions/mileage promises. If there's a fix, I won't have the opportunity to "test" drive the fix and then decide whether or not to sell the car back. I should have that right. And any "fix" should be warranted for the life of the car.

I should be given non-diesel low-emission loaners while I wait to see what the "fix" (if any) will be. I should not be forced to drive these cars for the next couple of years. When and if a fix is devised, I should be given the opportunity to test drive the fixed cars, and then if I am satisfied, I should be given compensation for the inconvenience and the fraud. I should also get a lifetime warranty on the fix. If I am not satisfied, I should have the right to sell the cars back to VW and get a more substantial payout for the reasons noted above.

Thank you.

Harvey Jassem



From: Leo Jed
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 10:00:48 AM
Subject: Valuation Methodology

The basis of buyback valuation unfairly favors VW and penalizes car owners.

The value should/must be determined by what the car was worth on the private sale market. Using the trade in value is unfair to consumers. From my own experience it can result in up to 10% lower value.

If dealer association values are used, it must be the price they would SELL, not buy.

Please don't allow VW to take even more advantage of us deceived car owners.

Btw, my car is a 2011 Jetta sportswagon.

Please advise me of any affected groups or organizations that are opposing the deal or commenting.

Thank you,
Leo Jed

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 10:52:05 AM
Subject: VW Diesel litigation

Dear Sir,

As an owner of one the affected automobiles, I would like to have my vehicle bought back. When the opportunity comes, I want to receive a check they day I turn in my car. **I do not want to be reimbursed by a debit card, or wait a month for the title to be released by the lien holder** (VW Credit in my case). So often debit cards are used for refunds, etc., and can be troublesome to use. Turning in a car and being without transportation is also out of the question. I don't want another VW either.

Thank-you for your time
Michael Jinkens

From: Sarang Joglekar
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 12:20:16 AM
Subject: Clarification on the Eligible Vehicle definition

Pursuant to the Eligible Vehicle definition of a used Volkswagen Diesel car that are categorized as "affected", I would like to get more clarity on the matter.

As per the Eligible vehicle definition, a Eligible Vehicle is

"2.33. "Eligible Vehicle" means Model Year 2009 through 2015 Volkswagen and Audi light-duty vehicles equipped with 2.0-liter TDI engines that are (1) covered, or purported to be covered, by the EPA Test Groups in the table immediately below this paragraph; (2) registered with a state Department of Motor Vehicles or equivalent agency or **held by bill of sale by a nonVolkswagen Dealer in the United States or its territories as of June 28, 2016;** (3) for an Eligible Owner, currently Operable or cease to be Operable only after the Opt-Out Deadline; and (4) have not been modified pursuant to an Approved Emissions Modification. Eligible Vehicle also excludes any Volkswagen or Audi vehicle that was never sold in the United States or its territories."

Issue -

In my opinion, the definition of the eligible vehicle, especially second part of #2, seems to be not clear. I'm an owner of a "affected" car that I bought from a VOLKSWAGEN DEALERSHIP after June 28 2016, would my car will not be fixed or eligible for a buyback?

And why there is a discrimination in definition between a nonVolkswagen dealer (or a private party seller) and Volkswagen dealer, when Volkswagen dealership never discussed about the issue and are permitted to sell used affected cars?

Please let me know if you have any questions. Looking forward to hear back.

Thanks,
Sarang Joglekar

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 9:49:09 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386.

I would like to add my comments on the proposed settlement. In and of itself the proposed settlement seems to be "fair" to all parties. However, there are certain conditions within the settlement that seem to favor the defendant (Volkswagen) to the detriment of the owners of said effected vehicles.

Appendix A

Para 4.1 Buyback Recall. Line 4 references the FTC Order and the Class Action settlement in regards to the buyback amount. Per the FTC order the buyback is modified by an mileage adjustment. This adjustment seems patently unfair as the owner is penalized for driving the vehicle that they purchased. The mileage adjustment is based upon 1042 miles per month. The longer this settlement drags on the more I'm being penalized for driving my vehicle. I have a daily 90 mile commute during the week and I'm being penalized for this.

Per the FTC Order, Appendix 1A the buyback for my vehicle is \$19,187 (2012 4D Jetta, East coast). I have the additional Options, Fender Stereo (+\$360) and Power Sunroof (+\$570). What is missing is the package that was ordered with the car that cost \$575 (Monster Mats, Heavy Duty Trunk Liner and Lip Spoiler). Any and all options that were purchased should be included in the buyback.

The settlement is using the National Automobile Dealers Association (NADA) Clean Trade-In Values. IMO the NADA Clean Retail value should be used. I am not "trading in" this vehicle. Should I choose the Buyback option Volkswagen is purchasing this vehicle from me. The defendant should not be rewarded by being allowed to buyback said vehicles at the lesser price and with a mileage adjustment.

Thank you for your time and consideration.

Sincerely,

Everett A. Johnson
[REDACTED]

From: Johnson, J Paul
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 9:52:07 AM
Subject: Class Action Settlement Volkswagen "Clean Diesel" No. 3:15-md-2672 (N.D. Cal.).


30 June, 2016

Clerk of the Court/Judge Charles R. Breyer
Philip Burton Federal Building & United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

Class Counsel Elizabeth Cabraser
Leiff Cabraser Heimann & Bernstein, LLP
275 Battery Street, 29th Floor
San Francisco, CA 94111

Defense Counsel Sharon L. Nelles
Sullivan & Cromwell LLP
125 Broad Street
New York, NY 10004

Dear Judge Breyer and Counsel,

I object to portions of the Class Action Settlement in Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, No. 3:15-md-2672 (N.D. Cal.).

I am a member of the affected class in the class action suit known as "Dieselgate," as the owner of a 2013 Volkswagen Jetta Sportwagen TDI SEL. I am writing to express my concerns about certain aspects of the settlement announced on June 28, 2016. I know that the Court's goal is to move as many of the offending vehicles offroad as possible; I do not believe that the tentative announced settlement will achieve the desired effect. As a class member, I may elect not to participate in the settlement if these concerns are not addressed.

Here are my concerns:

1. The announced settlement is predicated upon *trade-in value* of the affected vehicle. However, owners are not "trading in" the vehicles so that VW can profit from their resale. A trade-in value typically leaves room (thousands of dollars) for dealer restoration, markup, and resale at profit. Insurance companies typically provide actual cash value for replacement of a vehicle. The Department of Justice press release (available at <https://www.vwcourtsettlement.com/>) announced that "Volkswagen must offer to buy back any affected 2.0 liter vehicle at their retail value as of September 2015." But the announced settlement is *not* predicated upon retail value. **The settlement should provide at least "private party" (or "actual cash") value, or, as I indicate below, either full MSRP or price paid, plus taxes, title, and fees.**
2. The announced settlement is predicated upon values estimated in September of 2015. However, VW's fraud was committed much earlier and continued for years until they were caught in September 2015. Indeed, when I purchased my vehicle in December of 2012, I was a victim of fraud *at the moment of purchase*. My car was not, as advertised, a "Clean Diesel," but a heavy polluter. **The settlement should instead reflect the value of the vehicle at the moment the fraud was committed, not when it was discovered.**
3. The announced settlement penalizes class members *severely* for miles driven. But VW's fraud is neither mitigated nor negated by the miles each car is driven, and the car's value to VW (nil, as the cars are not to be resold or driven) is not impacted by the miles driven by the owner. TDI drivers typically purchase these cars

for long commutes and highway driving; that they drove their cars without knowledge of VW's fraud does not mean that they should be penalized for having done so. **There should be NO penalties for miles driven.**

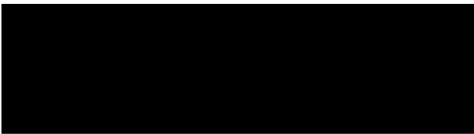
4. The announced settlement provides modest, not "generous," compensation, as declared by VW. The figures amount to less than \$3,000 for consumers beyond the amount indicated for buyback of the car, which is proposed as trade-in, not retail value, and further subject to a significant—and irrelevant—mileage penalty. Furthermore, there is no compensation for the lost tax, title, and license fees I and all others paid in association with the purchase of the fraudulently advertised vehicle. To replace the vehicle, owners will need to dip a second time into their pocketbooks. **The settlement should provide remuneration for taxes, title, and license fees associated with the original purchase.**

All told, this scandal is VW's fault. To provide owners full restitution, VW should be paying the full purchase price (or MSRP) of the car, plus associated tax/title/license fees, plus "generous" compensation for the fraud. Buybacks based on trade-in value with severe penalties for mileage are not relevant to the fraud VW committed and do not provide adequate—much less "generous"—compensation to owners.

Thanks to the court for its efforts adjudicating this case, and thanks for the opportunity for public comment.

Sincerely,

J Paul Johnson



From: jeff johnson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 7:35:18 PM
Subject: VW Diesel Settlement

To Whom It May Concern: I am a current owner of a 2012 VW Jetta TDI that I purchased new. My concern centers on the topic of reimbursement for purchasing extended warranty coverage through Volkswagen. I strongly feel that there should be compensation made for this. I bring this to your consideration due to evidence from my research that this has been overlooked. Thank you for giving this your attention. Jeffrey A. Johnson [REDACTED]

From: Philip Jones
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:31:57 AM
Subject: Volkswagen Buyback Compensation

To whom it may concern,

I appreciate all the work put forth on behalf of the buyers of TDI "clean diesel" cars, however I feel the compensation for being misled and defrauded is not substantial. I purchased my "clean diesel" TDI back in March of 2015 with the understanding that not only would these vehicles meet the strictest emissions standards, but far exceed them. This clearly was not the case. The settlement that was agreed upon by the DOJ and VW punishes those of us who used the car for the advertised purpose by lowering our compensation based on mileage. This seems to be a clear cut RICO example of fraud. Those who are in charge of the VW during the years of defrauding their customers are criminals and should therefore be punished as such. This settlement is nothing more than a slap on the wrist and shows how we cater to businesses over the consumer in America. I am not writing this email as a way to take advantage of the situation, however I will not be compensated sufficiently from this settlement. I believe that fair compensation would be the full MSRP of vehicle when it was new in addition to the license, title, and taxes that were paid when the vehicle was purchased. Again, I very much appreciate all the work done on behalf of the owners of these vehicles and I hope that we will soon reach an adequate level of compensation.

Thank you very much,

Phillip Michael Jones

[REDACTED]

Volkswagen 2012 Jetta TDI Dieselgate

July 16th 2016

Dear Assistant Attorney General,

Maybe the word “generous” as the headline of the vast majority of news stories and press releases regarding Volkswagen diesel owners’ compensation had led many VW owners to anticipate an actual generous compensation package, but the reality of that package appears to be manipulated to force current TDI owners’ into new car loans.

As I struggle to understand the generosity in the proposed generous compensation package, I also struggle to comprehend the concept of that package as purely a business deal. The proposed settlement approaches the realm of an acceptable business compensation but the moral, ethical, and insulting actions of Volkswagen have not been considered. Volkswagen executives do not seem to grasp the concept that once those lines were crossed, dieselgate naturally became an emotional issue that is intensified with the arrogant statement that ““It is a purely business transaction, less emotional...”” (<http://goo.gl/rXKYyA>). I regret more than before that I decided to purchase a Volkswagen and even more that I promoted it so vigorously that my next door neighbor actually traded in his car to purchase a Jetta TDI! Just as I am currently in an underwater mortgage on my home, I am now in an underwater car loan based on the unethical business practices of Volkswagen. I did not even use the offered “goodwill gesture” Volkswagen sent to me because of my distrust of this company.

As Volkswagen’s attorney Kenneth Feinberg claims, I will probably accept the modification offer. Not because I consider it to be a fair “business transaction” (<http://goo.gl/rXKYyA>) but because it is the best alternative for my situation. With either choice I will still owe thousands of dollars as compensation for my months of research into finding the best vehicle to purchase for performance, environment, and reliability concerns. Similar to the research I had to undertake to find out the proposed generous compensation package. Interestingly, this research led to an article that revealed information regarding the opportunity to share my concerns. Another situation which has been veiled to the affected VW owners. I certainly did not receive communication from VW to share my concerns or opinions.

Considering that I purchased my pre-owned 2012 Jetta TDI in October of 2013 for \$27,902.00. I still have \$10,049.00 remaining on my loan. The buyback option is \$20,777.00. Modification with compensation is offered for \$5,952.00 (<http://goo.gl/zviNSj>). The result is that I can sell back my TDI, pay off my loan and have \$10,728.00 to apply to a new loan. Oh wait! I do not want another car loan! That is why I researched and bought a car which I expected to keep for many years. So, second option; I can accept the \$5,952.00 modification, still owe \$4,097.00 on my loan, and have my TDI modified to less than promised performance criteria. I can’t be specific about that outcome because it has not been revealed to the owners exactly what that outcome will be, probably because the initial attempts to fix the dirty diesels have demonstrated unsatisfactory results in Europe (<http://goo.gl/JEGE7l>).

Modification reimbursement is my best choice as a [REDACTED] resident struggling to pay off that underwater mortgage, student loans, and underwater car loan so I can relocate without a negative credit inquiry added to the credit report I have worked so hard to maintain, and start saving for my rapidly approaching retirement. I have no interest in obtaining another loan. I have only mentioned the other obligations to provide a broader picture to Volkswagen of the situation that many TDI owners are currently experiencing; the average person who seems to be constantly taken advantage of by those who are greedy and immoral. The harm Volkswagen has inflicted on our lives is inexcusable and the proffered generous compensation is insulting to those of us who have been manipulated into entering into another monetary loss. It is so sad to learn that Volkswagen has ventured into that arena and appears to continue further onto that path.

News headlines continue to report that the VW settlement is “an unprecedented U.S. settlement...” (<http://goo.gl/ICTvrJ>) to try and sway the public into thinking the almost realistic settlement is justifiable. Well, the effects of dieselpgate and the degree of intentional deceit are also unprecedented. Volkswagen owners are presented with the facts that:

“Connecticut Attorney General George Jepsen says the state will put about \$16 million of its share into the state’s general fund. The remainder will go into state consumer protection funds.

Jepsen says the state is pursuing additional penalties from Volkswagen for violating environmental laws.

Connecticut also is eligible under another Volkswagen settlement to receive \$51 million to support environmental programs” (<http://goo.gl/spQsgA>).

Wow! The insults just keep on presenting themselves. What is the purpose of Volkswagen giving millions of dollars to states for the general fund? How is that even applicable? I somewhat support the state consumer protection funds and definitely support a settlement to environmental programs, but there is a lot of money being given to states that could have been better applied to consumers. Compensating cheated TDI owners to walk away from this situation without further financial impact should have been the main objective of this VW settlement. Did VW even consider offering TDI consumers a full value exchange vehicle so customers would not have to take on further debt? To have my car replaced at pre-scandal value with additional emotional compensation to dissolve my loan would have been a much more acceptable offer and a small increase for VW, especially since it appears that the generous compensation offer goal is manipulated to buy back at least 85% of the vehicles. The best analogy is to equate this offer to dinner. Would the CEO of VW willingly pay \$10,000.00 for a \$100.00 meal? I believe it’s safe to assume, probably not, yet this analogy is the essence of what VW is offering to its consumers.

Volkswagen is not accepting full responsibility for the damage they have inflicted on the customers who supported their products by purchasing their vehicles. The average VW TDI owner will continue to deal with the financial impact of the company’s deceit for many years while VW executives will continue presenting themselves as recipients of the reputation as “unprecedented” goodwill representatives for their inadequate offer of resolution.

As I am writing this letter to express my concerns, I am reflecting on the way Volkswagen continues to minimize their obligations to their customers. The more I ponder Volkswagen’s

response to compensation I am becoming even more disillusioned with this company than I was when I first heard of the horrifying TDI manipulation situation. It may be in my best interest to accept the buyback offer just to settle my conscience from the negativity that continues to surround the Volkswagen name. As much as I have enjoyed my Jetta, it may not be worth the sadness that I experience every time I drive that symbol of corporate greed and deceitfulness. Maybe by the time Volkswagen actually puts the generous compensation package into actuality I will have my loan paid down enough to pay it off and purchase the Subaru I was originally going to buy.

Thank you for your time,

A handwritten signature in black ink that reads "April Kassman". The signature is written in a cursive, flowing style.

April Kassman

Sad and Disillusioned Jetta TDI Owner

From: danny kazorian
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 12:27:27 PM
Subject: Vw Emissions

I would to sincerely state the fact that this scandal which I have come to know has seriously made me think about VW's core values of the being the people car. I have owned 6 Vw in my short 44 year life but I have never been so mislead into any purchase as I have with my 2014 Tdi wagon. I would like you to know that my time with Vw will end once I get my settlement sooner than later and I will make sure that Vw does not forget what you have put owners through by word of mouth for people not to buy your cars; you have tainted me and Mother Earth with your false clean diesel technology slogan. You're compensation amounts are horrible , but regardless I will walk away form the Vw brands and I will never come back to you. I hope this becomes a lesson for the fact that once a cheat always a cheat , good riddance Vw and I he you leave the United States and your sales suffer so van feel what you have done to me and numerous others .

Sent from my iPad

From: Gregory Keating
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 3:09:38 PM
Subject: VW settlement: comments

One last item I forgot to mention in my message below concerns fuel prices. I, like many [REDACTED], commute regularly between [REDACTED] and [REDACTED]. Since March 2015, diesel fuel in [REDACTED] has cost *significantly less than regular unleaded fuel*. Over the past 18 months, the difference in price between the two fuel types has ranged from a low of 15-30 cent per gallon, up to a high of around \$1.00 per gallon. This amounts to huge fuel savings that TDI owners (in [REDACTED] anyway) will lose in the buyback program. In short, in addition to having to replace my car, I'll have to buy a car that requires regular unleaded gas and, as a result, will have to incur significantly greater monthly fuel expenses as long as the differences in fuel prices continue as they have been for the last 18 months. This is yet another way in which TDI owners get fleeced as a result of VW's malfeasance.

Thanks,
Gregory Keating [REDACTED]

On Thursday, July 21, 2016 9:53 AM, Gregory Keating [REDACTED] wrote:

Dear DOJ:

I am the owner of a 2012 VW Golf TDI and would like to make a few comments about the proposed settlement.

1. The settlement provides that VW will not be allowed to resell the diesel cars that they buy back, not even in other countries where those vehicles wouldn't violate emissions standards. This means is that the cars essentially have no sale value once VW buys them back. If this is the case, it makes no sense that an owner's buyback value could be reduced as a result of mileage. If the rationale is that owners who put more miles on their cars got more use out of them, the rationale is flawed. Those who drove more miles polluted more and have more to be angry about in terms of what they unknowingly did to the environment. In short, I believe that every owner should receive the maximum value published in the September 2015 NADA guide based on the options/equipment on their cars and that mileage should NOT be factored in. (Actually, I believe that owners should receive the full price they paid for their cars, but more on that below.)

2. If it's the case that mileage will continue to factor into the buyback price, I have serious objections to using owners' current vehicle mileage as a starting point for working backward to estimate one's mileage in September 2015. This method penalizes drivers for continuing to use their cars while VW and other entities work out the details of the settlement. In my case, I actually had my car serviced by a VW dealership in September 2015 and can provide an exact mileage amount that is true to the mileage my car had when the scandal was made known to the public. Using the mileage on my service records gives me a much higher buyback value than using my current mileage and working backwards because I engaged in a long commute over the last 10 months, during which time I put an additional 20K miles on my car. In short, I believe that estimating mileage needs to be a multi-stage process, possibly as follows:

- In the first stage, VW should identify all vehicles serviced at their dealerships in September 2015 and use whatever mileage those cars had at that time. This is the most precise method, but it won't work for all vehicles.
- In the second stage, VW could repeat this process for the month or two before and after September 2015 and use those values to estimate more precise mileages for those vehicles.
- For vehicles not serviced at VW dealerships, owners should have the option to show service records from other repair shops that are dated in September 2015 (or within 1-2 months of September 2015).

d. For vehicles without verifiable service records, then VW could use the proposed formula that uses the current vehicle mileage as a starting point.

3. Many owners, including myself, bought one of VW's first-extended warranties, which extends warranty coverage to 100K miles. These warranties are not cheap. Mine cost close to \$2,000. Owners who participate in the buyback program before meeting the mileage limit on their warranties should receive a prorated refund for the unused portion of the warranty.

4. Lastly, unfortunately, the buyback amount just isn't enough to compensate most owners for what they lose. I bought my first home in August 2015 and in that same month I decided to pay off the remaining balance on my VW loan so that I wouldn't have a mortgage and a car payment. Then, one month later, the scandal breaks. I had planned to keep my 2012 Golf TDI for another 10 years without having a car payment (I owned each of my last two cars until they were 15-16 years old so this was a true intention for me). I now have to take whatever settlement money I get and buy whatever car I can with it so that I don't have a monthly payment. My VW Golf was more or less a luxury car that I just loved and whatever I have to buy to replace it—even though it may be new--will be much inferior in terms of gas mileage, performance and handling, style, fit and finish, and possibly even safety. And I haven't even mentioned the complete waste of time it will be to have to spend a day or so to return my car to the VW dealership and get the settlement, and then spend another day at another dealership haggling over a car I don't even want to buy. In the end, I think this settlement should give owners the price they paid for their car so that they can actually go out and buy something more comparable to what they originally purchased.

Cordially,

Gregory Keating ([REDACTED]

From: Gregory Keating
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 12:53:16 PM
Subject: VW settlement: comments

Dear DOJ:

I am the owner of a 2012 VW Golf TDI and would like to make a few comments about the proposed settlement.

1. The settlement provides that VW will not be allowed to resell the diesel cars that they buy back, not even in other countries where those vehicles wouldn't violate emissions standards. This means is that the cars essentially have no sale value once VW buys them back. If this is the case, it makes no sense that an owner's buyback value could be reduced as a result of mileage. If the rationale is that owners who put more miles on their cars got more use out of them, the rationale is flawed. Those who drove more miles polluted more and have more to be angry about in terms of what they unknowingly did to the environment. In short, I believe that every owner should receive the maximum value published in the September 2015 NADA guide based on the options/equipment on their cars and that mileage should NOT be factored in. (Actually, I believe that owners should receive the full price they paid for their cars, but more on that below.)

2. If it's the case that mileage will continue to factor into the buyback price, I have serious objections to using owners' current vehicle mileage as a starting point for working backward to estimate one's mileage in September 2015. This method penalizes drivers for continuing to use their cars while VW and other entities work out the details of the settlement. In my case, I actually had my car serviced by a VW dealership in September 2015 and can provide an exact mileage amount that is true to the mileage my car had when the scandal was made known to the public. Using the mileage on my service records gives me a much higher buyback value than using my current mileage and working backwards because I engaged in a long commute over the last 10 months, during which time I put an additional 20K miles on my car. In short, I believe that estimating mileage needs to be a multi-stage process, possibly as follows:

- a. In the first stage, VW should identify all vehicles serviced at their dealerships in September 2015 and use whatever mileage those cars had at that time. This is the most precise method, but it won't work for all vehicles.
- b. In the second stage, VW could repeat this process for the month or two before and after September 2015 and use those values to estimate more precise mileages for those vehicles.
- c. For vehicles not serviced at VW dealerships, owners should have the option to show service records from other repair shops that are dated in September 2015 (or within 1-2 months of September 2015).
- d. For vehicles without verifiable service records, then VW could use the proposed formula that uses the current vehicle mileage as a starting point.

3. Many owners, including myself, bought one of VW's first-extended warranties, which extends warranty coverage to 100K miles. These warranties are not cheap. Mine cost close to \$2,000. Owners who participate in the buyback program before meeting the mileage limit on their warranties should receive a prorated refund for the unused portion of the warranty.

4. Lastly, unfortunately, the buyback amount just isn't enough to compensate most owners for what they lose. I bought my first home in August 2015 and in that same month I decided to pay off the remaining balance on my VW loan so that I wouldn't have a mortgage and a car payment. Then, one month later, the scandal breaks. I had planned to keep my 2012 Golf TDI for another 10 years without having a car payment (I owned each of my last two cars until they were 15-16 years old so this was a true intention for me). I now have to take whatever settlement money I get and buy whatever car I can with it so that I don't have a monthly payment. My VW Golf was more or less a luxury car that I just loved and whatever I have to buy to replace it—even though it may be new—will be much inferior in terms of gas mileage,

performance and handling, style, fit and finish, and possibly even safety. And I haven't even mentioned the complete waste of time it will be to have to spend a day or so to return my car to the VW dealership and get the settlement, and then spend another day at another dealership haggling over a car I don't even want to buy. In the end, I think this settlement should give owners the price they paid for their car so that they can actually go out and buy something more comparable to what they originally purchased.

Cordially,
Gregory Keating



From: Jack Kelley
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 12:06:48 PM
Subject: VW Diesel Settlement

7.29.16

My name is Jack Kelley and I am a VW Diesel owner.

I've identified a potential loophole VW intends to exploit concerning the buy back settlement.

I leased a VW Passat TDI in June of 2015, 3 years, 45,000 miles. I prepaid the lease, that is I paid for it in full upfront, approximately \$15,000.

Today I contacted the settlement hotline with questions as to how they would prorate the unused portion of my lease, since I would be returning my polluting vehicle at the earliest opportunity. They informed me they would not be returning any of my prepaid lease balance, which at this point is approximately \$10,000. When I asked why they told me it was because the court settlement doesn't require them to, they intend to keep it. The intent of the settlement was to reimburse and make whole consumers who were deceived by VW about the characteristics and performance of the vehicles they purchased. It makes no difference if we bought or leased the vehicle, and if I turn in my polluting car half way through my lease I should have approximately half of my lease money returned since I no longer possess the vehicle.

According to VW I have two choices, I can continue to drive my polluting vehicle for two more years until my lease expires or I can turn in my car under the terms of the settlement and take a \$10,000 hit simply because I prepaid my lease. Neither one of those seems appropriate.

I don't believe the court intended to leave this loophole for VW to exploit. I think instead it was inadvertently missed by the parties involved due to the relatively small number of customers who prepaid their lease. Based on that, I believe the settlement should be amended slightly so that those customers who prepaid shall be reimbursed for the unused portions of their lease. It is the fair and equitable solution.

I would appreciate an acknowledge of receiving this correspondence.

Jack Kelley

[REDACTED]

VW Passat VIN# [REDACTED]

From: Maureen Kelly
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 10:11:07 PM
Subject: Comment on Volkswagen proposed settlement for lessees

To Whom It May Concern:

As a lessee of a 2014 Jetta Sportwagen TDI, I do not think the proposed settlement is fair to lessees. I leased this car because the payments were so high to buy it, and even the lease payments are very high. This was all part of the hype that the VW diesels were so much more desirable and would hold their value as opposed to the same gas model.

I leased the car fully intending to buy it at the end of the lease. I am over my mileage amount because I planned to buy the car and keep it at least 10 years, as diesels are also known for their longevity.

While the buyout proposals to owners seem very generous, the proposal for lessees is not. We are not being given any consideration for downpayment, sales taxes, and lease payments made. Also, if the cars are being taken back for recycling, it doesn't make sense to penalize the lessees for mileage and wear and tear. Owners are getting dinged to a lesser amount on mileage, but not condition.

I cannot plan on staying in the lease and buying the car at the end, because the residual amount due is much more than the value of the car, due to the diesel scandal. Nothing is being done for lessees regarding that.

At this point, I cannot drive the car due to the mileage penalty, I have to wait several more months and keep paying the lease until the buyout, and I am trying to find another car. I will be stuck with 2 car payments, increased insurance, and a hit on my credit for at least several more months.

I think lessees deserve better options.

Thank you.

Maureen Kelly
[REDACTED]

From: Justin Keppers
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 1:04:56 PM
Subject: TDI comment

As someone who's never traded in a vehicle, I must say that using the car's trade-in value as the base for the buyback price is unsatisfactory. Based on the price I've calculated, VW thinks my 2011 jetta was worth 8000 at the time the scandal broke. That seems incredibly low since I paid closer to 15k just a year before. I get that depreciation happens. This is a fraud case though. Make an example out of them so that other companies don't do the same.

At a minimum, I'd like to see the private party value being used as the base price.
Justin Keppers

From: Brian Kilroy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 11:18:06 PM
Subject: VW settlement question

Sirs,

I'm the owner of a 2012 VW Touareg 3.0L TDI which I've come to understand is not included in the VW Owners TDI settlement plan as is currently preparing to close.

As a buyer of the most expensive vehicle in the VW stable, I along with the other 85,000 buyers of new VW Touareg and similar Audi models, am facing the largest and most significant loss in terms of value. And as I must continue to use the vehicle, I'm deeply concerned about the impact to our fragile environment. I can't afford to replace it with something else due to the very steep loss in value I'll suffer at time sale or trade, do I like many others am stuck.

I bought this vehicle based on the promised fuel economy and VW's promise of clean diesel technology. I feel like I've been intentionally duped, and I've been waiting patiently to learn the terms of the settlement with the hope that VW would make things right.

Can you please help me to understand why my model was excluded from the settlement plan? Additionally I'd like to know what I can do to seek a fair remedy similar to what is being offered to TDI 2.0 buyers.

Thank you!

Denis B. Kilroy



From: Todd Komaniak
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 3:42:08 PM
Subject: Diesel buyback extended warranty question

Agree with everything that they say about the buyback and how they've settled except the only thing I haven't seen is are they going to give back the extra warranty I paid for

From: Christopher Kowtica
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:15:33 PM
Subject: VW Owner Concerns

Hello,
I am a current owner of a 2011 Volkswagen Jetta TDI. I have concerns about the buyback that I would like addressed:

- 1- I still owe money on my loan from Volkswagen Financial- this should be wiped clean.
- 2- Any and all interest I paid on my loan should be paid back to me in full if not with additional monies since I was lied to as a purchaser.
- 3- I should be able to turn my "VW Goodwill Loyalty" card into cash since I will not be entering into another VW.

Please resolve this ASAP

From: Tim Krause
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 10:28:42 AM
Subject: VW Emissions Cheating

I purchased an audi 3.0 TDI one month before the scandal broke. I am very concerned that the 3.0L problem is taking a low priority back seat. Regardless of the severity, it remains a fact that they cheated on the 3.0L model as well. Simply offering a fix will not be good enough. I expect the fix will affect the performance of the vehicle I purchased, and it is impossible to deny that the overall scandal has had a material impact on the value of the car I purchased. I am expecting a full buy back program for the Audi 3.0L problem equivalent to whatever is agreed for the 2.0L problem. The amount of the buy back should be equivalent to the value my car had BEFORE the scandal broke, plus a damage portion. Since I purchased my car new, one month prior to the scandal, the buy back should be equal to the original purchase price of the car.

Tim Krause

From: Roger Kuhlman
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 4:00:21 PM
Subject: VW Diesel Emission Settlement Comment

Dear Department of Justice, the Environmental Protection Agency, the Federal Trade Commission, and the state of California,

I wish to add the follow comment pertaining to the announced VW Diesel Emission Settlement:

I purchased a 2009 VW Jetta TDI new and currently own it, the vehicle has ~106,000 miles on the odometer.

I do not understand the logic behind restitution payment being tied to the 20% of the car value or \$5,100, whichever is greater.

I was defrauded by VW in 2009. Why does the proposed settlement value VWs misdeed toward me less than someone who purchased a newer VW TDI? According to the proposed settlement, the restitution payments can exceed \$10,000 for owners of newer VW TDI and only \$5,100 for owners like myself. It is difficult to accept this as an equitable solution.

My estimated vehicle buyback price is already reduced reflecting the greater use of the vehicle I have received.

I would argue that the restitution for VW's misrepresentation be should be equally shared amongst all VW TDI owners not tied to 20% of the vehicles NADA value?

Roger L. Kuhlman
Global Strategic Marketing Manager - Automotive Industry

Phone

Posta

www.basf.com/fuel-lubricant-solutions
Your Leading Solution Provider

Environmental Protection Agency
Office of the Administrator 1101A
1200 Pennsylvania Avenue, NW
Washington DC 20460

RE

8 July 2016

2016 JUL 15 AM 11:19

EX-1042

Re: Volkswagen Clean Diesel Settlement

I wish to object to the Class Action Settlement in re: Volkswagen
"Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, No. 3:15-
md-2672 (N.D. Cal.).

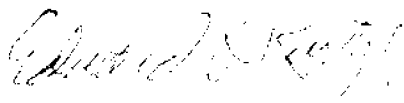
I own a 2010 VW TDI Sportswagen and have owned it since it was new (VIN
[REDACTED]) one of the cars covered by this agreement. According to this
agreement I have two options, have my car repaired at VW's expense, or, if that's not possible,
have VW buy back my car. The 2009 and 2010 TDI's did not employ urea to convert NOX, and
probably cannot be repaired without significant loss of efficiency and performance. Thus my
only option appears to be to have VW buy back my car at the trade-in value plus approximately
\$5000.

My car has only 35,000 miles on it and is in excellent condition. If VW buys it, I am going to
have to replace it, which will cost me thousands of additional dollars. I love my car, and would
much prefer to keep it. The EPA is effectively punishing me for buying what I believed at the
time was a car that was very good for the environment. I'd be better off if, instead, I could keep
the car and have the buy-back money put into a fund to benefit the environment.

I want the settlement modified to provide the option of keeping the car in the event that it is not
possible to repair it satisfactorily.

Thank you.

Sincerely,



Edward F. Kurtz, Jr.
[REDACTED]

From: Jasmine Kwan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 6/30/2016 2:11:10 PM
Subject: Re: VW Settlement

Hello,
I would like to comment on the Volkswagen settlement that was just released. As an affected party (owner of a 2011 Jetta), I have reviewed the settlement and found it to be unsatisfactory.

The issue I have with the settlement is the base amount upon which the cash payment is calculated. From the documents, the buyback value is NADA "clean trade-in" value, plus 20%, plus \$2,986.73. NADA "clean trade-in" value is not the appropriate amount at which to value my vehicle as I am not trading my car to a dealer. VW is purchasing my car, and as such, **the value for the buyback of my car should be benchmarked using NADA "clean retail" value.**

Please reject settlement and request Volkswagen revise their payouts to reflect NADA CLEAN RETAIL VALUE.

Thank you for your consideration.



On Thu, Jun 30, 2016 at 11:10 AM, Jasmine Kwan <[REDACTED]> wrote:

Hello,
I would like to comment on the Volkswagen settlement that was just released. As an affected party (owner of a 2011 Jetta), I have reviewed the settlement and found it to be unsatisfactory.

The issue I have with the settlement is the base amount upon which the cash payment is calculated. From the documents, the buyback value is NADA "clean trade-in" value, plus 20%, plus \$2,986.73. NADA "clean trade-in" value is not the appropriate amount at which to value my vehicle as I am not trading my car to a dealer. VW is purchasing my car, and as such, **the value for the buyback of my car should be benchmarked using NADA "clean retail" value.**

Please reject settlement and request Volkswagen revise their payouts to reflect NADA CLEAN RETAIL VALUE.

Thank you for your consideration.

From: Bruce Land
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 10:16:12 AM
Subject: VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION, MDL No. 2672 CRB (JSC)

Bruce W. Land
[REDACTED]

2014 Beetle TDI Coupe

VIN Number: [REDACTED]

Phone: [REDACTED]

I object to the settlement proposed for the case of VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION, MDL No. 2672 CRB (JSC).

Under the proposed settlement, as an original owner, I have the options of:

1. Having my vehicle brought into EPA compliance through some fix that has yet to be determined and receive a lump sum settlement payment.
2. Sell my vehicle to Volkswagen for NADA Clean trade value plus 20% plus \$2983.73 plus a mileage modifier that may be negative or positive.
3. Opt out of the proposed settlement.

Option 1 is not a viable option for the following reasons:

I. Details of the fix are not yet known. How can an owner make a reasonable decision to join or opt out of a settlement if the terms of the settlement are unknown. There may be safety, longevity, comfort, drivability, resell-ability, or other consequences to a fix that are still unknown at this time.

II. By Volkswagen's own testimony, any fix would reduce power and fuel efficiency. No amount of money turns a vehicle modified in this way back into the car that we paid for in good faith.

Option 2 is an unfair judgment for the following reasons:

I. Clean retail value and not clean trade value should be used for compensating owners.

- a. We are not trading in the vehicle but rather are selling it back as a retail transaction.
- b. There is precedent (e.g. Toyota's buyback of Tacoma trucks) with relation to using retail values instead of trade in values.
- d. Using retail values would remove any tax ambiguity from state to state.

II. The mileage modifier should be thrown out.

- a. The number of miles that we drove our cars have no bearing on the initial fraud perpetrated by Volkswagen.
- b. If my car is to be scrapped the amount of mileage I have driven should have no impact on my compensation.

III. Taxes and fees are not included in the buyback amount.

- a. A buyback would result in purchasing a vehicle replacement. New taxes and fees would be assessed. I had no plans to buy a new car for many years. I will now have to pay additional sales tax for a replacement vehicle. Compensation should include taxes and fees that were paid for my Beetle purchase.
- b. I purchased an extended warranty contract (\$1320). The compensation package does not address this purchase. The amount of the cost of this warranty should be removed from my loan prior to repayment by VW.

I would not have purchased my vehicle if I knew it polluted up to 40x over EPA mandates. My car was sold to me in violation of the law. Volkswagen's benefit of the bargain in this systematic fraud case is actually the full price of the car. It could be argued that the damages portion should be MSRP, dealer invoice, or full purchase price. This was systemic fraud on an unprecedented scale.

Keeping that in mind, my proposed amended settlement offer is as follows:

1. Buy back my vehicle for the full purchase price or retail price and all applicable taxes and fees (including extended warranty) incurred during the initial purchase.

From: Julie Lantrip
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:47:14 AM
Subject: VW Settlement Comments

To Whom It May Concern,

My husband and I are the owners of a 2009 VW Jetta Sportwagen TDI purchased in early September of 2015, shortly before the announcement about the fraud. We spent months looking for a vehicle that was in like-new condition with many accessories. We love the vehicle, but now face having to sell it back and look for another car, which we did not expect to need to do for many years.

We appreciate the work done so far to compensate owners. However, we have several comments regarding the proposed settlement, which are as follows:

1. The buy back proposes using trade-in value, rather than private sale or retail value. We would never trade in a car, because that is an amount set low enough to allow the dealer to make a profit off the vehicle. We can not purchase a car for trade-in value to replace this vehicle. We strongly urge you to use retail value from August 2015 in addition to the 20% added for costs involved in purchasing a vehicle (taxes, licensing, etc.), in addition to compensation for the fraud and inconvenience. We had no plans to sell the car this soon, nor would we sell to a dealer. We urge you to ensure that the settlement provides full market value established at NADA retail, in addition to the added costs and compensation, so that we can be made whole. Our car's current NADA retail value (after the scandal's hit to its value) is almost the same as trade-in value was a year ago---that is how low trade in value is compared to actual value.

2. The buy back does not make any proposal regarding compensation for additional aftermarket equipment that is specific to the vehicle. We will not be able to use our car's current accessories on another vehicle. Our accessories include a hood deflector, panzer belly pan, splash guards, aspherical glass mirrors, bumper guards, trunk liner, and oil drain valve. None of these items will be compensated in the buy back, they would cost us money to remove, they would be difficult to sell after so many of these cars are off the road, and they would never sell for what they will cost to purchase and install on a new vehicle. We urge you to include compensation for the fair market value of these accessories and their installation.

3. The buy back proposes assuming the car is in "clean" condition. Our car is in like-new condition, unlike other cars of its age. We spent considerable time and money driving out of town to pick up a car that was in this condition, as well as keeping it in this condition. We will not be compensated accurately for that time and effort or the added value of the car, and we urge you to consider additional compensation for vehicles in exceptional condition.

Thank you for your consideration of our comments.

Sincerely,
Julie Lantrip

From: Roy LaRoche
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/7/2016 9:04:00 AM
Subject: VW settlement proposal

I would like to address the criteria being used for the modification penalty payment and the buy-back payment.

1) Modification payment - my understanding is that this is in essence a penalty for VW lying about meeting the emissions standards. Therefore the longer an individual owns a vehicle, the greater the amount of the penalty they should be paid. After all, they have been exposed to the unlawful emissions/pollutants the longest. By tying the penalty amount to the value of the vehicle at the time the deception became public, September 18, 2015, you are actually penalizing those owners who have had their vehicles the longest. A fairer way to determine the Modification penalty amount is to start with the base amount of \$5,100.00 and add \$100.00 for each full month the vehicle was owned prior to September 18, 2015. For example, if an individual owned/leased a vehicle as of April 14, 2013, then they would get \$7000.00 ($\$5100 + 2900$ (29 months x \$100)).

2) The mileage modification is not accurate. The formula gives 1042 miles per month which is then deducted from the current odometer reading to arrive at a mileage that is plugged into a chart to determine the mileage reduction in car value. However, for those individuals who drove their vehicles more than 12,500 miles a year, the modification penalizes them. In my case, I consistently drove approximately 31,000 miles a year, so on September 18, 2015, I had 124,000 miles on my vehicle. Based on the charts then my vehicle was worth \$23,267.00 - \$5,460.00 (mileage deduction) = \$17,807.00. Yet using the formula of current odometer reading minus the mileage deduction (per the formula) my cutback value is \$23,267.00 - \$6,420 = \$16,847.00. This is a loss of \$960.00.

Lastly, when I went to the online claim website, the amount it determined for my vehicle did not match my computations using the court remedy charts. The website also did not allow me to adjust my mileage to the actual mileage at the cut-off date of September 18, 2015. Furthermore, the website has you select a an option right then without sending a synopsis document of both choices and showing how the amounts were offered were determined. It is very hard to make an informed decision when you are not given all of the pertinent information.

Sincerely,
Roy LaRoche

From: alex Lawrence
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 10:02:30 PM
Subject: additional vehicle add ons that VW should compensate owners

Dear Sir/Madam,

I am an owner of two of the affected VW diesel vehicles under the recent settlement. However, in all the descriptions of the benefits to be provided to owners there is no mention of compensation for the the vehicle add-ons owners made to their vehicles. For example, for each of my vehicles, I had the rear windows tinted at a cost of \$800 for both vehicles. Additionally, I purchased from the dealer rubber floor mats, trunk mats and car covers, which costs totaled about \$800. Finally, I added a trailer hitch for a bike rack which cannot be used on any other vehicle. In all, I will lose another \$3000 for my various add-ons.

Sincerely,
Alex Lawrence
(A3 and Golf TDI owner)

Sent from Outlook

From: Andy Lazar
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 8:31:33 AM
Subject: VW deal

I feel that the deal is fair with the exception of two Points...

1) I, along with many other owners, were told that the way to make up the difference in cost compared to the gasoline equivalent is to drive it a lot. I was told that at the 100k mark I would be even and over that I would be ahead. With that I'm mind we drove our Volkswagen passat diesel everywhere we went and now because we did exactly what the selling dealership told us to do we get a reduced amount from the settlement based on high mileage.

2) we bought our Volkswagen diesel just prior to filing chapter 7 with the intent of keeping the vehicle for many years until our credit score got better but now I'm going to be forced to give up an extremely favorable interest rate of just a few points and will instead be borrowing money in the sub-prime market thereby erasing any premium I receive. Volkswagen should be required to either finance my new vehicle at my current interest rate no matter what model I end up buying or provide a way for them to buy down my rate with a lump sum payment in addition to the payment all like owners will get. I realize that this only effects a small portion of the class members but this alone is going to take a fare settlement and make it terribly unfair for me and my family.

Thanks,

Andy Lazar



From: Sammy Leach
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 1:06:20 PM
Subject: VW Emissions Settlement

Hello:

I wanted to offer my opinion on the Volkswagen emission settlement that was just released.

I am a VW owner, and after reading the settlement I am happy, but at the same time I am kind of still not pleased.

The compensation is enough, for me personally. But I just wonder if it works for a lot of other owners out there. Ones who bought their diesel cars because of the promise of getting 600 miles a tank, and now they are forced to either get a fix that may diminish that number greatly or look for another car that won't live up to those standards.

Getting a new car will have to be the choice of a lot of VW owners out there, and for a lot of them, in some ways myself included, that can be a difficult task. Having to have your credit checked again. The compensation from VW will help with the down payment, but I can imagine that the situation of a lot of VW buyers would be that they have other uses for that compensation, and having to go car shopping is not something a lot of us expected to do.

I envisioned having my car for a while, putting 100,000+ miles on it. I'm at 63k and already I have to consider selling it back and getting a car that won't come close to what this car does, fuel economy wise.

Having VW fix it is not an option to me. I feel lied to, I feel hurt and I don't think the fix will will make the car perform anywhere close to where it does now.

We bought these cars because they were "clean diesel" and we felt that we were leaving a small carbon footprint by driving these vehicles. Not to mention the thousands a year we save in gas.

I only ask that you think of the ramifications of finding cars that will not only cost us more money than we may have been ready to pay, but also more money than we may have originally thought we'd spend on gas.

Thank you for your time and consideration.

Sammy Leach, Jr

From: Alan Lee
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:57:03 PM
Subject: Comment on VW Diesel Emissions Settlement
Attachments: VWGoAOnlineClaim20160805.pdf

I don't understand the settlement website calculation, because it comes out with a number that is much lower than expected from the manual calculation. It appears to me that the website calculation is not correct. My vehicle information and assumptions are in the attached pdf file.

Value from Table 1A	\$19,217
Subtract for 6spd	-\$870
Mileage subtract	-\$2970 (based on 108,000 miles projected in September 2016)
Buyback amount	\$15,407

However, VWGoA calculation shows the Vehicle Return Amount to be \$10,600.00

Based on the attached document from the VWGoA website, the Additional Restitution is \$5,106.73

The total payout amount should be $\$15,407 + \$5,106.73 = \$20,513.73$

I have several comments:

1) The calculation on the [VWGoA | Online Claim](#) webpage appears to be incorrect.

VWGoA | Online Claim

2) The correct buyback is \$15,407 plus the restitution of \$5,106.73

Sincerely,

Alan Lee

From: Chad Leigh
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Chad Leigh
Sent: 7/29/2016 8:45:45 PM
Subject: Comments on VW Settlement "In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC)"

To whom it may concern:

I own two of the affected TDI vehicles.

The filing on the Federal Register website says that the agreement "In connection with the buyback, Volkswagen must pay Eligible Owners no less than the cost of the retail purchase of a comparable replacement vehicle of similar value, condition and mileage as of September 17, 2015, the day before the existence of the defeat devices was made known to the public ("retail replacement value"). The Decree acknowledges that Volkswagen may satisfy this obligation through offering the payments required by the FTC Order and the Class Action Settlement, which are at least equal to the retail replacement value."

However, this does not seem to be the case. The actual court documents specify that the "NADA Clean Trade" value be used. That is NOT "retail value" of a similar car. A "trade" is a mutually agreed upon transaction where two parties agree to exchange items of similar value. This is not and trade a trade-in value should not be used by VW. VW is not "trading" me anything, they are "purchasing" back my cars. This is pretty much a "forced transaction" precipitated by Volkswagens malfeasance in designing and installing a "defeat device" in their 2.0 TDI engines. I would not have been looking to trade in my cars at this point in time if it had not been for the illegal and harming actions of VW. I cannot go to a car dealer and purchase a price at "trade-in value" but rather must pay a negotiated retail purchase price. Allowing VW to use a "trade-in" value as the buyback value, which should make users whole allowing them to buy (at retail) a replacement vehicle of equal "value" is not making the customer whole. As specified in the Federal Register, VW should be forced as part of the settlement to use "NADA Clean Retail" value in setting the buyback values. That is the only fair way to make customers whole.

Additionally, it is not clear from reading the documents, why someone who receives title to an affected vehicle after June 28, 2016 would only receive 50% of the compensation restitution (not the buyback) settlement (plus a share of any left over money from that category from those affected eligible sellers who do not file in time). As an affected eligible seller is one who sells the car before June 28, and someone who sells the car (or transfers title after June 28) is removed from the Class, it does not make sense for the new owner, who is now an eligible owner (taking title AFTER June 28), to only receive 50% (plus) restitution. The new owner should be able to receive the whole settlement value, as the previous owner has NO interest in the settlement and has been excluded from the Class. The reason this is important, is that it allows dealers (at least non VW/Audi) to take affected TDI vehicles in trade and be eligible to receive the whole settlement value, so that they in turn can offer trade-in value of the whole settlement value to the owner who is losing his/her Class membership and settlement. This appears to be a loop-hole that allows VW to make smaller payments in the settlement for no good reason and to "cheat" owners of TDI vehicles from their rightful restitution value. This needs to be clarified, and changed to fix before the Settlement is made final. (Note: I am not talking about cars transferred after September 2015 and before June 28, 2016 — in those cases both the new and previous owners receive a share and the total restitution paid out by VW is the complete amount — this comment is only about those vehicles sold/transferred after June 28, which are affected by the "After Sept 2015" section of the agreement which halves the restitution, and is not amended by the fact that the seller is not considered a an eligible previous owner any longer since the sale took place after June 28). Making it difficult for owners to be able to realize full value of their settlement by penalizing trades with only 50% of the compensation restitution is not fair and makes it so that the affected owners have to pay sales tax AGAIN on their new cars they buy, where in most states, if they were to be traded to a new dealer, the trade-in value could be offset against the price and sales tax only paid on the difference. But by reducing the amount a dealer can offer in trade by only giving the dealer 1/2 of the compensation payment, that positive is turned to a negative and the affected owners are out the cost of new sales tax on the complete price, even though they are " in effect" trading in their cars for new ones in a two-part transaction.

And it is not clear why VW/Audi dealers are excluded from participating in the settlement for cars that they have taken in trade (are not the original "owner" of a new car), like other dealers not associated with VWGoA. This means that a current owner who perhaps wants to trade in for a new VW or Audi is at a loss and disadvantage compare to trading in to a non VWGoA dealer like Mazda or Volvo. So there is a built-in disincentive for someone to trade in for a new VW or Audi, which is unfair to the dealers, which are independent businesses in contract with VWGoA, but not part of VWGoA and not part of the malfeasance.

These last points about 1/2 compensation restitution and VW/Audi dealers being excluded directly affect me as an owner of affected TDI vehicles, as I would ideally like to trade in at least one of them for a new Audi, but financially the settlement makes it less likely that I will do so, and rather, due to financial advantages, turn to a non VW/Audi car like Mazda instead, even though I'd rather go to Audi.

The burdens and costs should not be on the affected owners. Having to procure new cars, once again pay sales tax in full due to

the settlement being stacked against trades, lower than retail buyback values (Federal Register notwithstanding), and the whole hassle of this is a huge, unasked for and unprovoked by the owners, cost and burden.

Amending the settlement as listed above would be a step in the right direction in making affected owners whole (or at least more whole than the current settlement, which transfers a lot of burden and additional cost to the owners).

Sincerely

Chad Leigh

From: Karl Lesch
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 2:39:02 PM
Subject: Proposed VW Consumer Class Action Settlement Agreement (Case 3:15-md-02672-CRB)

To the Assistant Attorney General-

I am writing to you today to voice my concerns over certain aspects of the proposed settlement for Case 3:15-md-02672-CRB (VW Consumer Class Action Settlement Agreement).

I am the owner of a 2013 Volkswagen Passat TDI SEL that was purchased new in 2013. My vehicle previous to the Volkswagen was a 2009 Acura TL which I traded in when I purchased the 2013 Passat.

I object to the settlement proposed for the case of VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION, MDL No. 2672 CRB (JSC).

Under the proposed settlement, as an original owner, I have the options of:

1. Having my vehicle brought into EPA compliance through some fix that has yet to be determined and receive a lump sum settlement payment.
2. Sell my vehicle to Volkswagen for NADA Clean trade value plus 20% plus \$2983.73 plus a mileage modifier that may be negative or positive.
3. Opt out of the proposed settlement.

Option 1 is not a viable option or the following reasons:

I. Details of the fix are not yet known. How can an owner make a reasonable decision to join or opt out of a settlement if the terms of the settlement are unknown? There may be safety, longevity, comfort, drivability, resell-ability, or other consequences to a fix that are still unknown at this time.

II. By Volkswagen's own testimony, any fix would reduce power and fuel efficiency. No amount of money turns a vehicle modified in this way back into the car that we paid for in good faith.

Option 2 is an unfair judgement for the following reasons:

I. Clean retail value and not clean trade value should be used for compensating owners.

- a. We are not trading in the vehicle but rather are selling it back as a retail transaction.
- b. In many states there are tax savings related to trade ins.
- c. There is precedent (e.g. Toyota's buyback of Tacoma trucks) with relation to using retail values instead of trade in values.
- d. Using retail values would remove any tax ambiguity from state to state.

II. Not all options are listed in NADA values.

- a. Using a 2010 Golf as an example, there is no listing for the cold weather package or HID headlamps.

III. The mileage modifier should be thrown out.

- a. The number of miles that we drove our cars have no bearing on the initial fraud perpetrated by Volkswagen.
- b. Having money taken off of the settlement because you drove the vehicle further than average is contrary to the nature of the fraud. The more miles you drove the car, the more you polluted the air where you live, work, and shop.
- c. The mileage I put on my car does not reduce the damages. The benefit of the bargain is greater the more miles we drive because Volkswagen can sell more parts for maintenance and repairs.

IV. The penalty award for fraud (20% plus \$2983.73) should be simplified.

- a. Adding an arbitrary dollar amount plus 20% may help owners of older vehicles, but hinders owners of newer vehicles who see a higher initial drop in value.
- b. All owners should get the same compensation for the fraud perpetrated. The year your vehicle was manufactured has no bearing on the fraud and should have no bearing on compensation.

V. Taxes and fees are not included in the buyback amount.

- a. A buyback would result in purchasing a vehicle replacement. New taxes and fees would be assessed. Owners who would not have other whys parted with their vehicles would be stuck with an additional tax and fee burden through no fault of their own.

Option 3 would happen if the settlement is not amended. I, and others, may file individual lawsuits.

I would not have purchased my vehicle if I knew it polluted up to 40x over EPA mandates. Not only for moral reasons, but legal reasons. My car was sold to me in violation of the law. Volkswagen's benefit of the bargain in this systematic fraud case is actually the full price of the car. It could be argued that the damages portion should be MSRP, dealer invoice, or full purchase price. This was systemic fraud on an unprecedented scale. Damages in my state and others is trebled in cases of systemic fraud.

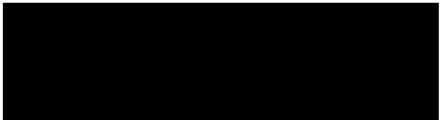
Keeping that in mind, my proposed amended settlement offer is as follows:

- 1. Have the vehicle brought into EPA compliance though some fix that has yet to be determined, compensate owner for 50% of invoice price, and have the entire powertrain warrantied by Volkswagen for 120k miles after the fix is implemented.**
- 2. If a vehicle cannot be fixed, offer to buy back the vehicle for the full purchase price and all applicable taxes and fees incurred during the initial purchase.**
- 3. If a vehicle can be fixed but the owner does not wish to have the car fixed, offer to buy back the vehicle for the September 15, 2015 NADA clean retail value with all applicable options, no modifier for mileage, a penalty award of \$7,500, and all applicable taxes and fees incurred during the initial purchase.**
- 4. Opt out of the proposed settlement**

I sincerely feel that VW is still not treating me (a damaged consumer) fairly as a result of their fraud that was perpetrated for over 8 years.

Thank you for taking the time to read this email-

Karl R. Lesch



From: Susan Lewis
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 6:19:40 PM
Subject: Two suggestions to protect "new" diesel buyers

From the perspective of someone who purchased a VW diesel specifically because it was identified as a clean, fuel efficient automobile:

- I know that I would not have bought this care knowing what I know today.
- I had less than 4K miles on a Passat SE, a vehicle I intended to drive for at least 10 years and 100K at time of purchase, when the "cheating scandal" broke.
- I feel I was the unknowing victim of an aggressive, fraudulent marketing campaign.

1 - Have VW or states do something about the sales tax effect. I live in Seattle, WA with approx. 10% sales tax. I will be participating in the buy back and replacing my Passat with a car which is clean and fuel efficient. I am going to have to pay sales tax for a 2nd time - over \$3,000.

2 - Have VW cash out the owner loyalty VW credit cards along with the buy back. Many owners had no reason to need or want service from VW. Other customers like me, could not find a dealer willing to enter a reasonable trade in for a gas VW. This credit card is truly worthless and insulting. What am I going to do - buy \$500 worth of VW promotional gear. In Oct and Jan I tried to negotiate a trade for a gas Jetta. In Oct I was turned away without significant discussion. In Jan I was offered less than 1/3 of my estimated buy back from the official VW settlement registration site. VW in Seattle has not tried to work with their customer base. I have contacted several dealers.

Thank you - Susan Lewis

Susan P Lewis


From: Preston Lipe
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 11:04:19 PM
Subject: VW Settlement

Hello, a few years ago I purchased a used 2011 VW Jetta with the TDI engine because I was impressed by my father's 2010 TDI Sportwagen. I was 23 years old and put all of my savings (\$3,500) down on a clean, efficient and sporty looking car. I paid around \$23,000 for this car with 20,000+ miles on it and was told repeatedly that VW has great resale value, they were environmentally friendly, etc... Last year I received a piece of paper from VW asking me to bring my car in for repairs to the computer. I put it off, but my father didn't. As soon as he got the car back he told me it didn't drive the same. Come to find out that was VW's first attempt to fix these cars, or rather hide the fraud.

We as consumers look to the government and other committees to protect us. Not repeatedly defraud and then pay off when caught. VW would like to buy my car back for about \$16,000 including the \$5,100 compensation, so about \$11,000 for the car and \$5,000 for lying. \$11,000 minus the \$8,500 I owe leaves around \$2,500 for the car when I put \$3,500 down. I could take the fix, but they've had months (years even) to fix this problem and they didn't. Why? Because it isn't possible. The mpg will change, the horsepower, torque and who knows what else. Simple isn't the case here and I don't want their fix. I want a refund. This puts owners in a hard spot. I expected to lose money if I ever resold my car, but selling the car wasn't in my plan. Now, I either get a different performing engine (if the fraudsters can even come up with a decent fix) or sell it back for a price calculated from a used car guide. That's the part that I don't understand. Why don't they buy back the car for what I purchased it for? Yeah, it's used. That's their problem now. Not mine.

If I sold VW a pair of shoes for \$23 and told them that it wouldn't cause foot damage and it ended up causing underlying damage and I knew this for years; whether I feel the damage to my foot or not VW would want their money back. Right? Who am I to tell them that because it's a used pair of shoes they only get \$16 back, or \$5 and keep the shoes? I'm a little guy against a corporation. Honestly, this feels like a waste of time. It'll probably be skimmed over by someone sitting at a desk, go in a file somewhere and never be seen again. For the record: I don't want a payoff for their lies. I want the money back that I've spent on something that's done nothing for the environment except harm it at a rate 40x normal. It's disgusting. If the US says corporations are like people, then they should be held accountable for fraud just as I would. I want back the \$23,000 I spent on this car. Some might say it's greedy, but the TDI owners aren't being greedy. The greed was 100% in the hands of VW and their fraudulent practices. They should be held accountable.

Who suggested that they pay the value of the car after they admitted the fraud?

Newsflash: they lied from day one, not September 2015. My money should be refunded from day one.

If VW doesn't want a used Jetta with 100,000 miles on it, then they shouldn't have sold one that's a complete lie.

I would love to hear back.

Preston Lipe



-Thanks a million, Preston.

From: Robert L
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 1:33:02 PM
Subject: Comments for Volkswagen Case 3:15-md-02672-CRB

To whom it may concern,

I am writing in regards to the proposed buy backs of the Volkswagen diesel emissions class action suit case 3:15-md-02672-CRB. As an owner of a 2011 Volkswagen Golf TDI, I have some concerns on the proposed buy back amounts. The amount is based on a NADA "clean trade" value as opposed to a "clean retail" value plus penalties for the fraud. I am not asking to trade my car in to Volkswagen, they are proposing to buy my car due fraudulent activities. If I am to buy a replacement car, I will not be able to purchase said car for "clean trade" value but I expect to have to pay retail value. This proposed offer also does not take into account the sales tax and fees that I will have to pay to purchase a replacement vehicle.

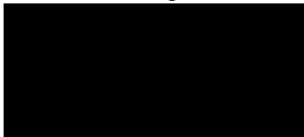
There is the option of keeping the car and wait for a fix but, due to the age of my car, this fix is highly unlikely to come during my cars useable lifespan. I also run the risk of being involved in a major accident with the vehicle, the insurance pay out would be very diminished due to the sharp drop in value these cars suffered due to this fraud.

Lastly there is a deduction for mileage of the vehicle. These vehicles are sold primarily to individuals who drive considerable miles per year. The mileage adjustments for NADA are for a general base of cars and the value of the TDI does not diminish as greatly as other vehicles due to higher mileage. Volkswagens fraud is fraud, plain and simple, the number of miles you have driven does not diminish the amount of fraud that was perpetrated on the owners.

A similar buyback was performed by Toyota several years ago for a rust issue on the frames of a truck. This rust was not caused by something that Toyota did with malicious intent, rather by poor design and material. Toyota offered owners full current retail price plus 50% to purchase the vehicle back. While this was a safety issue it was not knowingly fraudulent.

Thank you for listening to my concerns,

Robert Livingston



From: Ryan Livingstone
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 12:38:40 PM
Subject: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC),

I have a major problem with the compensation part of the settlement, not the buy back. Why would those that have had the cars for the least amount of time, those with newer cars, be given a higher compensation? Those with the older cars, and higher miles, have been unwittingly polluting for much longer than those that just recently purchased a car. If this is really about pollution and not just about money then the compensations should be exactly the opposite. It should be base on the age, and miles, of the vehicle, with the older cars being compensate at a higher rate, rather than the price of the vehicle. How much the car is worth should only be taken into account when considering the buy back.

Sincerely,

Ryan Livingstone

From: Locke, John
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 12:13:25 PM
Subject: 2009-2015 Volkswagen TDI Owners Proposed Settlement

To whom it may concern,

Good afternoon. I just wanted to take a moment to provide feedback about the proposed settlement for 2009-2015 2.0L TDI Volkswagen owners.

I own a 2013 Volkswagen Jetta TDI Premium that I purchased new in July of 2013. I believe that the settlement, as proposed, is fair and equitable for the average class members.

While there are issues that some will point out with the base figures used (ex. Trade-in value used as the baseline, mileage offset, etc.), I believe that the settlement, as it was proposed, will work for the average TDI owner.

I would like to take a moment to thank you for getting class members to this point in the process. If it weren't for your hard work, there would likely be no end in sight. Thank you for your time.

Sincerely,

John Locke

From: TIM LOGMAN
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 2:44:49 PM
Subject: VW OWNER COMMENT

I am the owner of a 2009 VW Jetta TDI. I think the reimbursement to the owners is woefully undervalued. First, the cars are being valued near used wholesale price plus \$5,100.00. VW engaged in willful, fraudulent, and deceptive advertising. Under normal circumstances they may be liable for up to the full purchase price of the car plus triple damages. Their offer falls far, far short of this. While I don't expect to recover this much personally, all of the penalties and fines added together barely reaches the average purchase price of the cars in question, much less any penalty beyond that. Second, as of a few months ago it was well reported in the news media that VW executives and board members were debating how big of a bonus they should be paying themselves. If there is any money available to pay as 'bonuses' that money should be going to the defrauded customers, possibly for the next 6 or 7 years, equal to the time frame of their deception.

Respectfully,

Tim Logman


From: Enrique Lopez
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 12:29:53 PM
Subject: VW Diesel Settlement

To whom it may concern:

My vehicle: 2013 Jetta TDI premium/w navigation. VIN: [REDACTED]
As an "Eligible Owner" of an "Eligible Vehicle" I would like to offer some objections/remarks to the Class Action Settlement re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Product Liability Legislation, No. 3:15-md-2672 (N.D. Cal).

My first objection pertains to the exclusion from the settlement class of Eligible Owners whose (1) Eligible Vehicle gets totaled and (2) consequently transfer his, her or its title to an insurance company after June 28, 2016, but before the opt-out date (September 16, 2016).

As an insurance agent myself, I feel like an Eligible Owner with an Eligible Vehicle that was (1) totaled and (2) title of which was consequently transferred to an insurance company after June 28, 2016, should **not** be excluded from the settlement class, but instead receive full Owner Restitution. This would at least cover part of the difference between current insurance value and Buyback value thus relieve some of the newly assumed risk involved in driving the non compliant vehicle.

My second objection is the use of the "Clean Trade value of an Eligible Vehicle" for the "Base Value". Eligible Owners purchased their vehicles at **retail** value (plus applicable tax, tag, and title costs). In case of a Buyback I would have purchase a new or used vehicle at **retail** value. Part of the Owner Restitution merely bridges the gap between clean trade in value and retail value. It is not truly a recompense for losses due to Volkswagen's emissions fraud.

In my opinion the Base Value should therefore be the **retail** value of the vehicle on or about September 2015.

Furthermore, I believe all vehicle emissions systems should be covered under an extended warranty by Volkswagen until a buyback or compensation is received. Volkswagen has had sufficient time to address the faulty software and emissions components and they continue to drag their feet. My vehicle's DPF has been replaced twice in under 50,000 miles. I should not be expected to replace or repair a faulty system that should never have been sold in the first place.

One last matter: It is impossible for me to make a decision about accepting a buyback or compensation money if an approved fix has not been presented. I would need to understand if my fuel economy, HP/torque, and reliability will be affected by a "fix" before making any type of informed decision. If no fix is available or approved, I would basically only have one option: to accept the buyback since the vehicle's value has substantially dropped in the current market.

I do not wish to exclude myself from the Class Action Settlement.

Thank you for your time and consideration,

Enrique Lopez



From: DOUG LOW
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 2:39:44 AM
Subject: VW Jetta tdi comment from an owner

Hello,
My name is Douglas Low from [REDACTED] and I own a 2014 Jetta TDi which is involved in the scandal. I haven't read anything about the extra costs to the purchase of my vehicle such as the extended service plan, the extended warranty, or the window tinting to my vehicle that I also paid for . These things were sold to me by the finance manager representing VW Finance. These extended programs were to take over AFTER the factory warranty expired as all of you know. I bought it as I was convinced I would need it for up to the 100000 miles or 6 yrs. I won't need either of these due to this scandal and believe that those of us who were pressured into these services should be reimbursed for the costs of these programs as part of the over all settlement!. The same thing goes for the window tint. My intent was to keep this car for life as I keep my vehicles for at least 15 yrs or more. If these "extras" were removeable - like wheels, tires, or stereo I would remove them, but I cannot. Why no discussions on these matters? At least I haven't read anything about them if they have been discussed. Everything I bought I bought thru VW and through VW finance!!! Please advise me, if you can. The people at VW advocacy group wouldn't comment when I spoke to them. They just told me to be patient and wait for the final terms of the settlement to come out on July 28th or so. I'm thinking this may be too late to inquire.
Thank you,
Be Safe and Be Blessed,
Doug Low

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 12:35:18 AM
Subject: Feedback - Volkswagen Emissions Recall

Dear Assistant Attorney General:

I would like to voice my comments on Volkswagen Emissions Recall. I firmly believe that consumers should be entitled the full purchase price paid for their vehicles. Volkswagen Group (The Company) admittedly defeated emissions device. The Company did not have a legitimate contract with the consumer and therefore the consumer should be able to return their vehicles and the full purchase price paid.

The Company did not purchased a faulty part from another supplier.
The Company did not unknowingly have a design flaw.
The Company knew and installed a device to deceive the EPA and the consumer.

For consumer that purchased the vehicle pre-owned shall provide the Bill of Sale numbers provided to the DMV. There shouldn't be any mileage deduction through NADA to lesson what consumers are owed. Besides The company can't resale them here anyway.

Best regards,

Rodney Lum

From: Patrick Lynch
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 3:54:15 PM
Subject: RE: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Subject: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General,

Based on my review of the document no. 1607-1, I believe the "Retail Replacement Value" per the proposed settlement as defined within document no. 1605, section 2.13 is not adequate. The values within document no. 1607-1 equate to NADA clean trade-in values from September of 2015. Anyone who has purchased a car understands that an offer of trade-in value does not equal "Retail Replacement Value". The values within document no 1607-1 should be based on NADA clean retail values from September of 2015.

In addition, the court should also consider a requirement that Volkswagen offer a full refund (MSRP + Tax + Title + License + Fees) buyback option plus restitution for all cars sold within 30-90 days of the of September 17, 2015. I purchased my car on September 6, 2015 and the proposed monetary judgment does not adequately cover the purchase price and certainly does not equal "Retail Replacement Value".

Sincerely,
Patrick G. Lynch

Documents referenced:

· The proposed DOJ Partial Consent Decree (doc. No. 1605): Section 2.13 "Retail Replacement Value" shall mean, for a given Eligible Vehicle, the cost of retail purchase of a comparable replacement vehicle of similar value, condition, and mileage as of September 17, 2015.

· The FTC's Proposed Partial Stipulated Order for Permanent Injunction and Monetary Judgment Attachment 1A (Doc. No 1607-1).

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/31/2016 8:02:11 AM
Subject: VW Settlement

My name is Paul Lynch, [REDACTED] and I am a vw diesel passat owner in the proposed settlement. I applaud the court for taking the action to protect us consumers. Having said that, I am opposed to the buy back currently configured. VW is paying us the trade in value of our vw's as I understand it, not the retail value. It should be the retail value. In addition, by buying back, we are not permitted to trade in our vehicle for the price, thus forced to pay additional thousands for sales tax. If this is going to be fair, it should be the retail price of the vehicle, not the trade in value.

Paul M. Lynch

From: Mike Lyons
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 8:53:07 AM
Subject: Objection to Volkswagen Litigation, MDL No. 2672 CRB (JSC)

Dear Assistant Attorney General,

I object to the settlement proposed for the case of VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION, MDL No. 2672 CRB (JSC).

I own a 2010 Golf TDI VIN# [REDACTED]

Under the proposed settlement, as an original owner, I have the options of:

1. Having my vehicle brought into EPA compliance through some fix that has yet to be determined and receive a lump sum settlement payment.
2. Sell my vehicle to Volkswagen for NADA Clean trade value plus 20% plus \$2983.73 plus a mileage modifier that may be negative or positive.
3. Opt out of the proposed settlement.

Option 1 is not a viable option or the following reasons:

- I. Details of the fix are not yet known. How can an owner make a reasonable decision to join or opt out of a settlement if the terms of the settlement are unknown. There may be safety, longevity, comfort, drivability, resell-ability, or other consequences to a fix that are still unknown at this time.
- II. By Volkswagen's own testimony, any fix would reduce power and fuel efficiency. No amount of money turns a vehicle modified in this way back into the car that we paid for in good faith.

Option 2 is an unfair judgement for the following reasons:

- I. Clean retail value and not clean trade value should be used for compensating owners.
 - A. We are not trading in the vehicle but rather are selling it back as a retail transaction.
 - B. In my state of NJ and others, there are tax savings related to trade ins.
 - C. There is precedent (e.g. Toyota's buyback of Tacoma trucks) with relation to using retail values instead of trade in values.
 - D. Using retail values would remove any tax ambiguity from state to state.
- II. Not all options are listed in NADA values.
 - A. Using a 2010 Golf as an example, there is no listing for the cold weather package or HID headlamps.
- III. The mileage modifier should be thrown out.
 - A. The number of miles that we drove our cars have no bearing on the initial fraud perpetrated by Volkswagen.
 - B. Having money taken off of the settlement because you drove the vehicle further than average is contrary to the nature of the fraud. The more miles you drove the car, the more you polluted the air where you live, work, and shop.
 - C. The mileage I put on my car does not reduce the damages. The benefit of the bargain is greater the more miles we drive because Volkswagen can sell more parts for maintenance and repairs.
- IV. The penalty award for fraud (20% plus \$2983.73) should be simplified.
 - A. Adding an arbitrary dollar amount plus 20% may help owners of older vehicles, but hinders owners of newer vehicles who see a higher initial drop in value.
 - B. All owners should get the same compensation for the fraud perpetrated. The year your vehicle was manufactured has no bearing on the fraud and should have no bearing on compensation.
- V. Taxes and fees are not included in the buyback amount.
 - A. A buyback would result in purchasing a vehicle replacement. New taxes and fees would be assessed. Owners who would not have otherwise parted with their vehicles would be stuck with an additional tax and fee burden through no fault of their

own.

Option 3 would happen if the settlement is not amended. I, and others, may file individual lawsuits.

I would not have purchased my vehicle if I knew it polluted up to 40x over EPA mandates. Not only for moral reasons, but legal reasons. My car was sold to me in violation of the law. Volkswagen's benefit of the bargain in this systematic fraud case is actually the full price of the car. It could be argued that the damages portion should be MSRP, dealer invoice, or full purchase price. This was systemic fraud on an unprecedented scale. Damages in my state and others is trebled in cases of systemic fraud.

Keeping that in mind, my proposed amended settlement offer is as follows:

1. Have the vehicle brought into EPA compliance though some fix that has yet to be determined, compensate owner for 50% of invoice price, and have the entire powertrain warranted by Volkswagen for 120k miles after the fix is implemented.
2. If a vehicle can not be fixed, offer to buy back the vehicle for the full purchase price and all applicable taxes and fees incurred during the initial purchase.
3. If a vehicle can be fixed but the owner does not wish to have the car fixed, offer to buy back the vehicle for the September 15, 2015 NADA clean retail value with all applicable options, no modifier for mileage, a penalty award of \$7,500, and all applicable taxes and fees incurred during the initial purchase.
4. Opt out of the proposed settlement

Thank you,
Michael Lyons



From: Rod MacNeil
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 10:38:05 AM
Subject: comment on proposed VW emissions settlement

How will the proposed buyback be treated by the IRS? Similarly, how will the IRS treat the proposed additional restitution? I think the proposed settlement should include a statement from the IRS about these two questions. The buyback represents after-tax money already spent by the consumer to purchase or lease a vehicle. The restitution, however, may not be categorized as after-tax money. It becomes a lot less attractive if a sizable portion of that money is required to be taxed.

Thank you,

Rod MacNeil

From: Julia Magdzinski
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 6:13:28 PM
Subject: Major Concerns Regarding VW Settlement (From TDI Owner)

In November of 2014, my husband and I purchased a new Jetta TDI for approximately \$22,000. After finance charges and additional fees, the total cost of the car came out to around \$32,000, which we would pay over the course of 84 payments. We specifically chose the TDI due to the fact that it was advertised as a reasonably-priced "clean diesel" vehicle with great gas mileage. These same selling points were repeatedly pushed on us by the car dealership. Since my husband is fairly environmentally-conscious and has a long work commute, we thought the TDI was a perfect choice overall. When the scandal broke, we were extremely disappointed and felt duped by Volkswagen. We knew that the value of our car would drop drastically and we would have a hard time either selling it or trading it in down the road. At that point, we had no choice but to wait patiently for more information to be released. We were initially pleased with the \$500 "goodwill" payment we received from VW last fall. At the end of June, we found out that we would be receiving an additional restitution payment from VW and they would give us the option to either accept a buyback or wait for an approved fix. At first glance, this looked fantastic. We figured the settlement would offset the major depreciation in the vehicle's value and would also compensate us appropriately for what we feel was gross negligence and deceptive, predatory practices on VW's part. Based on the headlines and the numerous FAQ articles written by individuals who are "in the know," it SOUNDS like we would be getting a buyback at the September 2015 value of our vehicle AND a restitution payment (which is theoretically supposed to serve as an apology for VW's actions). There is also information being presented which makes it seem like VW will forgive up to 130% of owners' loan obligations after the buyback. Upon further research though, I have realized that this settlement as it is currently described will NOT benefit my husband and I, but may in fact actually end up costing us money in the long run. At this point, we have made 19 payments on our TDI. It is barely a year and half old. We still owe more than \$24,000 on the loan. The rumors we are hearing make it sound like an actual fix for the TDI will be next to impossible for VW to implement; therefore, we would most likely be forced into a buyback scenario. The September 2015 value of our vehicle is approximately \$18,000. This puts us more than \$6,000 upside down on the loan. Of course, after reading that VW would forgive outstanding loans, I thought that this would not be a problem. The loan would be forgiven, the TDI would be bought back, we could possibly even trade in for another VW vehicle, and we would receive a generous restitution payment (approximately \$6,000, according to the compensation chart). Last night, I decided to dig a little deeper and make sure I was understanding this correctly. Very few of the news articles or VW press releases addressed the issue of outstanding loan obligations, so I went directly to the court documents available online. In small print about halfway through, I discovered that the loan forgiveness would only occur once ALL of the buyback payment and owner restitution payment had been applied. Which means that yes, the additional \$6,000 we owe on our loan would be forgiven with a buyback--but ONLY with the \$6,000 that was supposed to be set aside as a restitution payment. VW will pay us nothing for our trouble. All compensation will go directly to the loan provider (interestingly enough, VW does their own in-house financing for some individuals, so VW would effectively be paying themselves in those situations). So yes, we will walk away with no car loan. But we will also walk away with NO VEHICLE to drive, NO VEHICLE to trade in, and NO RESTITUTION MONEY to use as a down payment for a new vehicle at another dealership. We would then be taking on a brand-new loan for another 84 months with absolutely nothing to trade in to offset the cost. Now here is the issue. NO ONE in our middle-class financial situation (we are both teachers in our early 30s) would ever willingly buy a brand-new car and then buy another one 19 months later while still \$6,000 upside down on the loan. Our hand is being forced--if a fix is not approved, we will have to trade in this car, receive NO cash, and then have to take on a new loan. We are not at a point where we would even get the initial financing and APR rate we received at VW 19 months ago. Our credit score is lower than it was in November 2014 when we first bought the vehicle--however, this would not be a problem if we were not being forced into a situation where we may have to sell back a car that we have only had for 19 months. In summary, these are my major concerns:

- 1) VW is not being clear about loan forgiveness. This settlement will hurt customers who bought their cars in 2014 or 2015 and are still upside down on their loans. ***Most importantly, the loan forgiveness should be applied separately from the restitution payments. VW should not be allowed to combine the buyback value with the restitution payments to pay off these loans. Customers should have the outstanding loans forgiven and still receive their restitution payment as an apology for breaking the law and lying to customers.***
- 2) In some instances, VW may even be paying THEMSELVES if they are the ones financing loans for some individuals. A corporation should in no way be able to pay off their own mistakes with their customers' restitution money.
- 3) For people like us who have modest salaries and large amounts of student loan debt or credit card debt, this situation could potentially (and most likely will) cause unnecessary financial hardship. As I stated before, the settlement will end up COSTING us money if VW is allowed to go forward with it as it is currently laid out.

Please consider the impact this will have on individuals and not just the customer base as a whole. We are all in unique financial situations. Some customers may benefit from the settlement and some may not. Unfortunately, we will not benefit from a buyback. We are hoping for an approved fix so we can keep the TDI and not have to take a hit if we are forced to buy a new

car. We look forward to seeing these concerns addressed before the final settlement approval. Thank you!

Julia Thurley

Sent from my iPhone

From: Jim & Anita Manning
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/30/2016 8:43:30 PM
Subject: Comments to VW Diesel Settlement

Dear Sir/Madame,

These comments are related to the proposed buyback program under the VW diesel settlement.

As an owner of a 2015 VW Passat TDI SEL Premium, which was purchased in November 2014, I was surprised to see that this vehicle total compensation for the buyback (excluding mileage adjustment) was \$32,747. The sticker price for this automobile was \$34,825. Using the 20% premium and the \$2,987 additional compensation, means that the value of this vehicle in NADA on September 2015 (less than 1 year from purchase) would be \$24,833.

$$X + 0.2X + \$2,947 = 32,747$$

$$X = \$24,833$$

Where X = NADA value of car prior to scandal public disclosure

Based on this residual value, the car is depreciated 28.7% from a purchase date of 10 months prior. This seems excessive penalty especially since VW knew the EPA was inquiring about their diesel emissions even prior to my purchase in November 2014. I understand the highest depreciation occurs in the 1st year, but I believe this is excessive for this settlement since a major selling point for me (in addition to lower emissions and higher fuel economy) was the much longer life of a diesel engine over a gasoline engine. I certainly did not mind purchasing a new car that I realized would depreciate more quickly early but also knowing that the diesel engine will last well beyond a comparable gasoline engine.

With this high depreciation for newer models, I propose 2 alternatives.

Alternative 1:

Any diesel sold by VW after the initial inquiry by either EPA or University researchers should be valued at the sticker price and not NADA September 2015 values.

Therefore, the total compensation would be

$$\$34,825 + (\$34,825 * 0.2) + \$2,947 = \$44,737$$

Alternative 2:

Diesel engines are a premium alternative to the gasoline engine. The premium paid for the diesel model of a comparably equipped gasoline model should not be depreciated in determining the compensated cost for all affected models and years.

In my case, a comparably equipped Passat is the 2015 Passat SEL Premium (gasoline engine). My best assessment is the sticker price was \$32,980. Therefore the premium for purchasing a diesel model was \$1,845. Utilizing the 28.7% depreciation from above, then the compensated amount would be \$33,379, as follows:

$$X = [(\$34,825 - \$1,845) * (1 - 0.287)] + \$1,845 = \$25,360$$

Where X is the NADA value of the car prior to the scandal with the diesel engine

premium undepreciated

Now, the buyback would be \$33,379.

$$\$25,360 + (0.2 * \$25,360) + \$2,947 = \$33,379$$

Please consider these alternatives especially for those that have newer model VW TDIs that were highly depreciated in less than a year.

If you have any questions or comments, please contact me via e-mail.

Thanks!

From: Marc
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 3:21:56 PM
Subject: VW TDI

Honestly it's a real shame that it has taken this long to figure out exactly what is "fair" to Volkswagen. I bought a defective product that does not live up its warranty. It should be at least a complete buy back in my opinion at MSRP (sticker price) + penalty of 3-5k.

As someone with a Gen 3 engine (2015 Passat) I also find it alarming that I now have Regenerations almost daily. Is my Turbo frying itself? Should I sit for 15 minutes in my car idling for it to finish? I have a life too but my warranty is up in 13k miles. How about Giving us an extended warranty? I went through my ad-blue in 6k miles. Is this new normal?

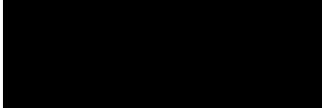
What we have been offered after 9 months is an insult and I fear I will be forced to sell it back. Such a shame because I love my car. Love to drive it, love the power and the size. How long will the American consumer put up with this? I hope everyone involved realizes VW is likely toast when this is said and done unless something changes upon final approval.

Kind Regards,

From: Karin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 1:19:38 PM
Subject: VW Buy Back Calculation

The buy-back amounts should be based on private party sales, not trade in value.
We cannot get a good car to replace these VW TDI's without spending about \$2000 more in cost than the current proposed by-back.

Karin Marchetti
Owner of a 2009 Jetta TDI sedan, and a 2011 Jetta Sport Wagon.



From: Tomislav Marincic
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Kate Marincic
Sent: 7/13/2016 3:19:40 PM
Subject: Proposed VW settlement

Hello,

I own a 2014 VW Jetta Sportwagen TDI that I purchased new in the fall of 2013. I currently have 42,500 miles on it, and have been generally very pleased with the car.

I am not interested in selling my car back to VW. I had difficulty finding a fuel-efficient car with a manual transmission that was “fun to drive” and well finished for \$30,000 or so. The Asian-brand alternatives do not appeal to me, and I do not care to spend more for a BMW or Mercedes-Benz.

I am very concerned that the “fix” for Generation 1 cars like mine (EA189 engine, no SCR system) will either be a pathetic hack job, where the dealer slaps on a jury-rigged urea injection system and hobbles the car with unacceptable ECU programming, or will not be forthcoming at all.

Please hold VW’s feet to the fire on this; **I want my car fixed to the same quality standard that it was originally built to.** I expect quality parts, premium fit and finish, and lively driving dynamics combined with exceptional fuel economy. I expect a reliable car that I can drive 200,000 miles or more.

I will not send a perfectly good three-year-old car to the salvage yard to be parted out in the name of Eco-sensitivity; production waste carries a terrible environmental price as well. The DOJ erred when they prohibited VW from exporting these cars to countries where they pass current standards. If I knew that my car would not be scrapped prematurely, and that the emissions involved in producing it, assembling it, and transporting it to me were being properly accounted for, I might be more predisposed to selling it back.

Finally, I would like to state for the record that I was once a big fan of the VW brand. I’ve owned five of them, starting with a well-used Karmann-Ghia that I purchased in 1977. I hope you succeed in demonstrating to the VW corporate leadership the depth of their betrayal of the American consumer.

In Europe, it’s easy to be “Green.” The tax structure favors low-carbon transportation, and Diesel fuel is subsidized by public policy. You pay a bit more for the car initially, but the greater fuel economy (combined with the artificially low fuel price) result in a swift recapture of the initial investment.

In the USA, I paid more for the Diesel car, more for the scheduled maintenance, and more per gallon for the fuel compared to unleaded regular gas. I slowly recouped some money through greater MPG, but the break-even point was probably at 80-100k miles. I did this for one reason only: VW’s “Clean Diesel” advertising campaign convinced me that I was making a virtuous choice for the environment.

VW has made laughingstock of their customer's sincere attention to conservation and environmental issues. I hope you are successful in prosecuting the people responsible and obtaining lengthy prison sentences for them. That will please me much more than \$5000 in hush money.

Sincerely,

Tomislav Marincic





From: Joshua Marks
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 4:39:33 PM
Subject: Comment on Proposed Settlement of Volkswagen Diesel Vehicle Emissions System Failure

As the owner of an affected Volkswagen TDI and a Class Member of the proposed settlement, I am dissatisfied with the low compensation offered in the proposed settlement and may choose to 'opt-out' of the settlement and pursue other legal options. I do not support the proposed settlement.

Any settlement of a case of fraud in which the culpable party was aware of its fraudulent behavior should begin with the option of the defrauded party to fully reverse the fraudulent transaction and recover any associated costs. There are numerous and serious sorts of mischief that a fraudulent party might cause in the marketplace, in the financial system, and ultimately the political system--the option of full recovery provides a primary foundation for effectively limiting the benefits of fraudulent behavior. I would like the option of reselling my diesel vehicle back to Volkswagen at the original purchase price and recovering the related incidental costs, e.g. state sales tax.

A truism of car buying is that a new car depreciates quickly in the first five years after its purchase, then depreciates more slowly in the subsequent years. Thus, a frugal car buyer would not purchase a new car only to sell it three or four years later when the value has plummeted.

I did not plan to sell my car during these rapid depreciation years, therefore the use of the depreciated value in this settlement is problematic. Even adjusting the rapid depreciation of the first five years against the expected future maintenance and repair costs of the subsequent years, there still exists an 'early sales penalty' for selling a car in the first five years. While the use of the value on September 15, 2015 appears to compensate me for the subsequent loss of value from the announced emissions issues, it does not compensate me for this 'early sales penalty' and the incidental transaction costs including state sales tax. This settlement is simply too low.

Volkswagen disclosed their poor behavior at a time when the 'early sales penalty' was large for me. They also had the option of disclosing their emissions issues prior to my purchase of the car. Volkswagen chose when to disclose their fraudulent behavior, thereby forcing an effective 'sale price' on me through this settlement. The option of a full recovery of the sales price of the vehicle would effectively provide the consumer an option to force Volkswagen to accept an disclosure date of their fraud prior to the purchase of the car. This option allows the consumer interest to align with the legislative intent of automobile emissions standards.

An further reason I don't support the settlement is the incomplete information on the emissions fix--whether one will be approved and if so, how it will affect performance and costs. Without that full information, a Class Member cannot effectively choose between the three options available: 1) accept a buyback, 2) accept an emissions fix, or 3) opt out of the settlement. A full compensation option allows the consumer to a fair option in light of the current outstanding information about the emissions fix.

In summary, as a Class Member I do not support the current settlement, as I feel it does not acknowledge the full cost of damages to the class members. I would support an option to fully reverse the transaction with compensation for additional incidental costs. Realistically, given the hassles of pursuing alternative methods of recourse, I would perhaps support a settlement that met halfway between the existing settlement and a full compensation--in my case about \$4,000 to \$5,000 beyond the current settlement.

Joshua Marks

From: Mary Jo Marks
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 3:10:34 PM
Subject: Volkswagen TDI Scandal

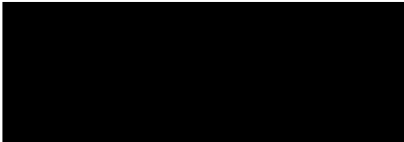
Hi

I don't feel as if we should be held accountable for mileage. Most of us planned to trade in before mileage got high, but were blocked due to the scandal. Now we are being penalized? EPA gets most of the settlement where we, as owners, get discounted at every turn? I paid \$36,000 for my car in 2013 (August), now, according to the buyback, and with a mileage adjustment, I get \$16,000? Good luck getting me to settle!

VW Executives got bonuses way bigger than that.

If you want to be fair, buy back with no mileage adjustment!

Mary Jo Marks
Action Sales and Marketing



From: Mary Jo Marks
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 8:08:30 AM
Subject: VW Diesel Settlement

JudgI am not alone in thise Breyer

A few comments on the settlement, keeping in mind, we were deceived into buying these cars and VW blatantly committed fraud. Doesn't look from the websites I am seeing, people are looking to settle on a few issues

1. Why should we get hit on mileage? We have been forced by the courts to keep our cars past when we wanted to- I would have traded mine in, but could not. Why should we lose thousands when VW and the court left us with no options?
2. We get taxed on the restitution? We were lied to, deceived, and now, after losing mileage, value and my car, by the time the buyback and government takes it cut, I will owe money. So, VW was allowed by the courts to commit fraud, force me to drive a polluting car for months, and I lose? How did the courts protect me, and why should I sign?
3. I am not alone in this. I am not looking for a lot, just fair and ethical treatment. I work in the Organic industry and have been forced to drive this car. Please do as well fro we, the owners, as you did for the EPA and states. I have worked and paid taxes since I was 15 years old. I do not deserve for this lie and absolute travesty of justice to cost me my hard earned money when I bought it to do the right thing. Do the right thing by we, the owners, who have put our faith in you. If we are to be taxed on the restitution, add it back in, take the mileage penalty off- we were not given a choice to not drive our cars- most of us did not have the luxury of having second vehicles.

Mary Jo Marks
Action Sales and Marketing



From: brian Marsiglia
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/7/2016 6:53:14 PM
Subject: VW Diesel settlement

My name is Brian marsiglia . I own a VW 2013 Jetta TDI. I bought it because it gets great gas mileage (I drive 100 miles a day for work) . The car was over my budget, but I was persuaded by the dealer that I was making the right decision. I have had many health issues, and because of that, I've had to max out my credit cards and raid my 401k (with huge penalties) . I still owe 18k on my car . With this settlemnt , I'll walk away with 140 dollars , and NO car . I had been under the impression that I would be able to buy a new car , or put a nice deposit on one , but my high mileage has really hurt my money that I'd get back . I also didn't qualify for a loan with VW credit , but I don't think I should be penalized for it . I'd planned on buying another Jetta around 13k. But I doubt I'll qualify for a loan . I'd prefer not to get the fix , because the mileage would be affected , and diesel gas is more expensive.

I hope they can up the reimbursement.

Sincerely ,
Brian J Marsiglia

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 11:48:41 PM
Subject: Vw buy back

When I purchased my 2013 Passat TDI, I was debating between it and a Chevy Impala, I chose the VW based on its mileage and performance. Now I have a vehicle that has 4 recalls on it that they don't know how to fix besides the emissions problem and it doesn't sound like they are going to offer any extended warranty for what ever fix they come up with. I think VW should pay back what I paid for the car plus tax, even at that I couldn't by a new equivalent Impala for that money!

Marten, [REDACTED]

From: Jeremy Martin
To: Matthew Mendelsohn; ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 8:28:26 PM
Subject: VW TDI Settlement VIN [REDACTED] Owner Comments

I am the owner of a 2011 VW Jetta TDI. I purchased the car used. I put \$2500 down and have a 60 month loan. While most people have said I hit the lottery because I am going to get Paid, they are wrong.

I have 2 issues with the settlement:

I believe I should be refunded the entire purchase price plus tax and fees. I was sold a bill of goods. VW lied and they should buy the car back at the price I paid.

Also, they are using my current miles on the car to determine how many miles I had back in September 2015. This make no sense. I was tracking my miles at the time so I have a MUCH more accurate estimate of my miles in September 2015.

So, when I sell my car back I will receive -\$125 according to the settlement website. At the very least VW should by my load and give me the \$2500 down payment back.

This is NOT a fair settlement for the people in my situation.

My VIN number is: [REDACTED]

Thank You,

Jeremy Martin
[REDACTED]

From: Bob Martin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 2:46:33 PM
Subject: Volkswagen Diesel Emissions Proposed Settlement - Robert Martin Settlement Comment

I would like to express my general agreement with the proposed settlement terms with the exception of buyback value calculation. The buyback price based on the NADA trade-in value is not fair. I have never traded in a car and typically sell a car between NADA retail and the trade-in value. Moreover, I do not want to trade-in the car for another VW and so will also lose the sales tax credit that goes with trading in the car. VW should be required to pay the full NADA retail value to compensate for these shortcomings. Regards, Robert Martin

From: Tracy Martin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 8:34:51 PM
Subject: Current VW TDI owner

I'm just gonna start off by saying this buy back program is a joke. I work at a VW dealership and I was looking to trade my vehicle in on another VW TDI a month prior to when the news came out about the scandal. I clearly know what my vehicle was worth at that time and I can tell you it's not even close to what I was offered for the buyback. I own a 2012 VW Passat TDI SE and the car still looks new. I have my car waxed twice a year, oil changes done every 5000 miles (not 10,000 like VW recommends). I feel the compensation money should be determined on the year and the condition of the car. Someone could turn in the same vehicle with damage all over the car and get the same amount of money that I'm being offered. I'm sorry but that isn't fare. It's not the customers fault that they are in this huge mess so they should truly be compensated FAIRLY on the condition of the vehicle. VW says they want to make things right so they should be taking care of the customer and not trying to screw them over. If VW wants to keep the customers they have now happy and stay with VW they need to be truthful and realistic. I love my VW but I know if a fix does come available it won't be the same. I'm ready to part with it but not for the offer that was given to me. VW just needs to make it right!

Sent from my iPad

From: frank marzetta
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:51:27 PM
Subject: VW diesel owner commenting on settlement

To whom it may concern,

I am an owner of a 2015 Jetta TDI SE. It has less than 6,500 miles and I've filed a claim for an emissions fix on the car. I bought the car this April from a VW dealership. The amount offered for the fix in round numbers was \$3,500.00. This amount is too low. It is being split between the former owner and the current owner, although in separate pools. In my opinion, the former owners who chose to trade or sell their cars gave up their right for any compensation. In my particular case, the former owner was given the "goodwill package" and has already received some compensation. These owners should not be compensated again at the expense of current owners.

Frank

Frank Marzetta | Broker Licensed 



From: Joan Charlotte Matelli
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 5:09:09 PM
Subject: VW settlement

Hello!


I own a 2012 VW Golf TDI.

All of the service and maintenance on this car was performed by an authorized VW dealership: Colonial Volkswagen of Medford, MA.

I would suggest that when trying to estimate the mileage of cars in September 2015 to determine their value, if there are mileage records at an official dealership, that those records should be used instead of a calculation based on final mileage. My VW dealership definitely knows what my car's mileage was in September 2015, or very close to it. If any calculation needs to be made, estimating from a closer date from the dealer would still be more accurate than estimating three years back based on final mileage.

Thank you for listening to our feedback.

Regards,
Joan Matelli


Sent from my iPhone

From: Aaron Mathis
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:51:17 AM
Subject: VW Diesel Emissions Settlement

Thank you for taking the time to take public comments on the VW Diesel Emissions Scandal.

We purchased our 2013 VW TDI Passat in the fall of 2012. As we drive 50k+ miles per year, this car seemed like the perfect vehicle for us, as well as the belief that the vehicle would make it well past the 500k mile mark. This excited us. Unfortunately our joy was short lived.

In September of 2015 we found out about the scandal and have been watching it ever sense hoping for a resolution. As of right now, I am only aware of three options.

Do nothing - in which we receive no compensation for a sale under false pretenses. In some states I may not be able to register my vehicle due to emissions regulations.

Fix plus Cash - While this seems like the way to proceed, this option does not make sense for us. Our car is at 250k miles, and while it is running great, and our payments are nearly complete, we know that something catastrophic could happen at any time, mainly relating to filter issues and other challenges with the TDI line. Furthermore, no fix has been approved, and waiting 2 years for a fix to be approved is not an option when there are 250k miles on your car when the car could die and we are left with nothing.

Buy back - This should really be referred to as a forced sale. I was not intending on selling, but with the revelations, I am concerned with other aspects of the vehicles reliability. I really only have this option. Unfortunately this is not a very good option. When I ran my calculations through the settlement sheets, my total compensation barely covers the current car loan I will have to pay off. Two problems exist with these tables. One the mileage, and the other is the "trade-in" value.

So as I read the paperwork, it said that the compensation was going to be trade in value in September 2015, PLUS compensation in order to reach fair market value.

First the value. I find it silly that VW can just pay the trade in value. I'm not trading in the car. I'm being forced to sell it otherwise I am left with a faulty vehicle(remember the fix isn't out). In my opinion, I should be paid the fair market value, plus compensation for the aggravation.

Secondly, the idea that VW thinks that people driving these cars only drive 1024 miles per month is undeniably ludicrous. Most owners purchased these vehicles for travel. I drive well over 1000 miles per week, meaning that at the time of the scandal, my mileage was approximately 200,000 miles. Well according to the settlement calculations, my mileage should be 240,000 miles. That is a \$2130 difference in settlement just because of the mileage. With all due respect, I'm getting screwed.

And then, I am out a vehicle. Granted I'll have no car loan, but also no vehicle, the vehicle I was intending on keeping for another 4 years. So I then have to go car shopping again, get another loan, pay another down payment, pay sales taxes and fees, on a vehicle I wasn't even intending to purchase. I'm looking at being out around \$4000 by the end of October.

So while this settlement may be great for some people, it does not even come close to the "generous compensation" that was claimed at least for me. I am seriously considering recusing myself from this settlement and pursuing a lawsuit on my own.

If I had the ability to set my own demands, it would be pay off of the loan amount for those of us who still have

loans, PLUS, \$2500 base settlement with \$1000 cash for each year we have owned the vehicle. Those of us who have owned the cars longer and put on more mileage have done much more damage to the environment than those who just purchased them. For those who do not have loans, some adjustment to the tables would probably work for them, but I cannot speak for them.

Again, thank you for listening to our comments. I hope that you will see that many of us are being short changed in this settlement. I simply want to be made whole.

Aaron Mathis



From: Patrick May
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 3:12:02 PM
Subject: Volkswagen MDL No. 2672 owner comment

To Whom it may Concern,

I am the current owner of a 2012 Golf TDI, bought new in 2011 that falls under the proposed settlement agreement.

I have been following the litigation and news of the fraud perpetrated on the owners of our vehicle class by Volkswagen since the announcement in September.

I appreciate the efforts of all parties to come to an agreement. I also am grateful for the hard work it must have been to handle the massive amount of complexities involved to get to us the point we are today. A period of public comment and awaiting approval in Judge Breyer's court.

After spending quite a bit of time looking over the agreement and how it affects every owner across the different generations of vehicles, I believe the proposed settlement is fair to all parties. VW is giving more than it would like and owners are settling for less than the law allows for.

This being said, in one owner's opinion I have an objection to the agreement.

I do not believe current eligible owners should be responsible for the costs of repair on ANY emissions related issues on their vehicles while VW puts owners on any sort of waiting period for a buyback.

Vehicle owners also should NOT be responsible for any emissions related repairs while awaiting an emissions modification if they elect for one.

There is no reason, owners of the vehicles should pay to fix emissions systems or parts related that are illegal and do not perform as promised by VW.

If the owners are relegated to waiting up to 2 years for VW to receive modification approval, then the emissions warranty should be extended for all owners until that point.

To be told to wait an additional 2 years and spend potentially thousand of dollars to keep an illegal, fraud based emissions system operative is unfair and unacceptable and insulting. It is also irresponsible and may cause owners to delete the systems in place that protect the environment to save their investment while, once again- waiting on VW to have a solution to a problem they created- not the owners.

This needs to be addressed.

Thank you for all your hard work and any attention you can give to opinion on the matter.

Patrick May

From: Wes
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 7:38:30 PM
Subject: Volkswagen Settlement Public Comment

To Whom it May Concern,

My name is Wes May and I am the owner of a 2010 Volkswagen Jetta TDi. I want to take this opportunity to comment on the recent settlement proposed by the Volkswagen Auto Group.

When I first bought my vehicle in October of 2009, I paid MSRP for my vehicle. I was hoping that figure would be used when calculating the buyback. In all honesty, I also don't see why the restitution amount isn't the same across all affected models. Everyone bought into the same lie. Everyone has polluted at an equal rate. Knowing that the 100,000 miles on my car has polluted as much as up to 4,000,000 miles compared to a gas burner makes me physically ill, as opposed to someone who only bought theirs a year ago and maybe put 10,000 (or 400,000 comparative) miles on their vehicle.

I understand the overall offer is generous, but rewarding those who only recently purchased their diesels proportionally more in both value (for instances where the difference in vehicle value and current loan amount are paid) and restitution seems unfair. I believe at the very least the proposal should make the restitution amount a flat rate for every vehicle. I also believe that the vehicle should be bought back using the same figure by which it was purchased (I.e., MSRP for MSRP, Private Party for Private Party, etc.). Otherwise, this isn't a buy back but rather a trade-in with some hush money.

Thank you,
Wes May

From: Meredith Mayes
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 10:17:08 AM
Subject: VW Settlement Comment

Hello,

I am a 2012 Jetta Sportswagon TDI owner and I am emailing you to comment on the propose VW settlement.

After putting in my information into the VW settlement portal page I was disappointed that my outstanding loan balance effected my final settlement amount and that Volkswagen should payoff any outstanding balance on existing loans at the time of the final settlement is reached. According to their portal page amount went from \$20,000 down to \$13,000 because of my outstanding loan balance. I feel like I have already given Volkswagen a lot of money for a illegal car and now they want part of the settlement money too, especially since my lender is Volkswagen Financial Services.

V/R,
Meredith Mayes

Sent from my iPhone

From: Laura McCall
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 11:17:54 PM
Subject: Comments in VW Settlement

I purchased a 2010 Jetta Sportswagen TDI in April 2010. I had done a lot of research and chose a diesel over comparable hybrid vehicles because the widely-touted "clean diesel" technology offered clear advantages, in terms of emissions and mileage, for highway driving, which is the bulk of the miles I put on my car.

In the more than six years since that time, I have paid a premium at the fuel pump for diesel over gasoline, but I did so with the knowledge that I was releasing fewer greenhouse gases (and other harmful emissions) per mile than if I had purchased a traditional gasoline or hybrid vehicle.

I was devastated when I learned last September of the fraud that Volkswagen had committed to cheat the emissions tests and trick consumers like me into choosing their vehicles over other "green" automobiles. I had been duped, and I felt especially foolish for all the inconveniences and criticism I had endured for my choice: the relative scarcity of diesel fueling locations equipped with nozzles for passenger cars, the problem of finding a mechanic in my area to service a diesel car (my husband ended up learning to do much of the maintenance himself, but he still had to buy expensive proprietary tools and parts). I experienced so many issues with non-essential components (air conditioner, sunroof, leaks, etc.) that my husband urged me to get rid of the car, but I didn't because there was nothing comparable on the market.

I am very angry about what VW did, and I believe they have done irreparable harm to the environment by touting their dirty cars as clean alternatives to hybrids and low-emissions gasoline vehicles. What if I and others like me had purchased hybrids or electric vehicles at that time? How much more would those technologies have advanced, and how much more affordable might they be by now with increased economies of scale?

While it is not actually possible for VW to make full restitution for all the harm they have done, I have specific complaints with the formula they propose in their settlement proposal. First, I think the buy-back value of the vehicle should be based on the pre-scandal value of the car, as determined by the Kelley Blue Book **private sale** value, *not the trade-in listing*. I have never traded in a car, and it is unlikely that I would have traded in this vehicle whenever I ultimately decided to sell it.

Secondly, the restitution formula is flawed, as it allots a higher restitution amount for newer vehicles. **More fraud has been committed against longer-term owners than against owners of newer cars, so I feel the formula should be revised to account for the greater harm against early adopters of the supposedly clean technology.**

Thank you for your time and consideration.

Laura McCall


Sent from my iPad

From: Timothy Mccann
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/31/2016 7:23:12 PM
Subject: VW BUYBACK GLITCH

pubcomment-ees.enrd@usdoj.gov;

I am writing to ask for an addition to the VW buyback program. They intend to only use NADA average mileage to determine my cars mileage in September 2015. That would only deduct about 13,000 miles from my odometer to determine the cars mileage back in 2015.

Here is the problem. I travel an average of 2pubcomment-ees.enrd@usdoj.gov<pubcomment-ees.enrd@usdoj.gov>;5,000 miles a year. I also have my car serviced regularly @ my VW dealership. They document my odometer every service.

I want VW to accept my receipts from VW that document my cars actual mileage back in 2015. That would entitle me to a larger buyback price based on my cars actual mileage...not some fictitious NADA average.

Please help us not get ripped off by VW during this buyback. I can prove through my dealership that my car had far fewer miles on it than they will try to claim.

Thank you for hearing my concern and I hope you will be able to add this to the buyback program.

Sincerely,
Tim McCann



From: Mike McCarver
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 3:28:01 PM
Subject: RE: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Product Liability Litigation

Hello,

I'm writing to submit comments about the Partial Consent Decree.

I am currently an affected consumer of Volkswagen's fraud, having leased a Jetta SportWagen TDI in July of 2014. After reviewing the partial consent decree, I am very disappointed with what is being proposed for lessees.

First I would like to clarify that I know these negotiations were not easy, and that getting a deal this quickly will require concessions from the injured parties. Additionally, I also want to make clear that I understand owners and lessees cannot expect to receive the same amount, as many owners had to pay additional taxes lessees did not. While there is no way to come to a settlement that will please everyone, I am generally in favor of the deal terms proposed for individuals who purchased their vehicles. For many people they will be getting back the majority of the cost of the vehicle as I believe they are due for the fraud and false advertising that was committed on almost RICO level scale.

However, it seems that the terms for lessees were made with the assumption that all lessees only care about having a new car every three years, and that minimal restitution would be satisfactory in getting us into another vehicle. That is a very poor assumption if it was in fact the basis for the lessee restitution terms, and is allowing Volkswagen to profit on the backs of one class members for the same fraud committed to both.

I originally showed up at my local VW dealership with the full intention of purchasing the vehicle. I was buy a car that I thought had excellent gas mileage, hybrid level emissions, and an engine that is unparalleled in its longevity. Although this would be the most expensive purchase I'd ever made, I planned on getting every cents worth out of it by keeping the car a very long time. However, the dealer convinced me that it was more financially prudent to lease the car with the intention of buying it out at the end. I would avoid up front sales tax and would essentially have half of the vehicle at 0% interest for the first three years and pay off the remainder over the following three years at nearly the same payment. I saw it as a great opportunity and proceeded with the financing as such.

When I found out that Volkswagen defrauded me, and did not hold up their end of the agreement by delivering a car that met all of the above mentioned criteria *and* met federal and local California regulations, my immediate thought was that they not only were guilty of false advertising, but had violated the terms of the lease. I have continued to honor my terms in the lease every month, keeping low mileage on the car even though I intended to buy it, and making my payments on time. To date, I have paid nearly \$12,000 into a vehicle I expected to keep under the guise of Volkswagen's original claims.

Now I am faced with taking a massive loss if I accept these terms, getting roughly \$3,500 terminating the lease early. That is less than I will have paid VW from the time they admitted their fraud to the time the settlement was announced. My payoff quote on the vehicle is around \$21,000 as of today. If I had bought the car on June 27th I would be entitled to \$31,000 in restitution. Again, as a lessee I don't expect the same amount owners are getting, but losing close to \$10k for Volkswagen's intentional fraud flies in the face of nearly all consumer protection laws, especially the laws in my state of California that allow for treble damages. How the total amount lessees have paid into the lease, if not having already paid the full terms of the lease, is a glaring mistake in this settlement as well.

While I am not the owner of the car, I signed an agreement with Volkswagen that functions as a lease to purchase agreement. It outlines what the cost of the car is, how much I will pay into that value over three years, and how much I can purchase the car at the end of the three years for. It also stipulates that I am solely responsible for the car during that time. If the car is totaled, I still have to pay off the remainder due on the vehicle's price just like an owner

would.

The agreement made with Volkswagen does not begin to address any of these facts with the abysmal amount of restitution lesses are granted for the same fraud committed against both owners and lessees. What's more, owners who are underwater on their cars are gifted up to 130% of the value in order to bring them to close as whole as possible. How are lessees not granted at least 90% of what owners are getting back? That would subtract the highest possible applicable sales tax factored into the payment owners have received. Additionally, lessee's vehicles are not even fairly valued as VW seems to have been able to exclude their mileage from being taken into consideration. How is it that mileage is a factor for owners, a group VW knows is prone to driving higher than average miles, but not lessees, a group VW knows has to stay under a certain threshold or be subject to penalty. What's more, for lessees above the mileage limit VW gets to enforce those penalties against the restitution claim. Talk about having your cake and eating it too.

I understand that the negotiations were not easy. I commend the FTC and DOJ for all the work they've put into this deal to date, but I think it's very clear VW has negotiated this entire process in bad faith trying to bilk as many consumers out of their money as possible via fraud, deception, and delayed negotiation tactics. How much money has VW finance received from payment every month this process dragged on? Thankfully for most owners they'll see the majority of that come back, but lessees have been told by all parties involved we are second class consumers when it comes to perpetrating fraud and false advertising in the United States. If this agreement is accepted as is it will send a resounding message to the corporate world that consumer protection laws and their penalties do not apply to consumers who have not taken explicit ownership of a good, despite the fact the consumer pays the same amount for that good.

If I could propose a quick solution that would cut down on needing to go into lengthy negotiations, I would suggest that the deadline for ownership for lessees be extended to the final acceptance of the settlement in September, as opposed to the date the agreement was announced. This would allow lessees who just want out of the vehicle and into a new car as quickly as possible the option of terminating their lease as quickly as possible and give them more than enough for a down payment on another lease. For lessees like myself who leased with the full intention of purchasing, it would allow us to exercise that option as we originally intended and to be made as close to whole as possible. If a 10% penalty applied for potential sales tax differences I think that would make a lot of sense as well for those who decided to buy the car. As it stands now, VW is dictating that a defrauded consumer make a purchase decision about a car they don't know will ever be street legal before the fix or settlement is laid out, and that is completely unreasonable and evidence of their bad faith negotiation tactics.

I hope you will reconsider the standing of this settlement quickly and impress upon VW that they need to make this right for all consumers defrauded. If it is accepted by the court I will be opting out of the class action and signing with a law firm willing to find justice for those who have not seen it here. VW has admitted their guilt. They are liable for treble damages in California, New Jersey, New York, and other states for fraud and false advertising. I am simply asking to get the majority of my money back for a vehicle I would not have purchased had I known it was a dangerous pollutant to my community and my family, including my newborn son who was the reason for acquiring the vehicle.

Thank you for taking the time to read this, I hope it causes more thought and discussion among all parties involved.

Mike McCarver



From: Jeff McClure
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 2:19:22 PM
Subject: one thing forgotten in settlement

I purchased my Volkswagen diesel certified pre-owned in 2014, the reason I purchased the certified pre-owned option was the extended warranty associated with it. In accepting the buyback of the vehicle I am not getting compensated for the foregone warranty extension that I essentially paid for. I also am not getting compensated fairly relative to those who did not purchase the CPO option for the higher price I paid relative to them for the similar vehicle (roughly 1-2 thousand dollars).

Generally I am satisfied with the settlement terms, but trying to think as fair minded as I could, I feel this was one place that was not addressed in the settlement I have seen.

Jeff McClure

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From: Sean McCrann
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Sean McCrann
Sent: 7/13/2016 3:42:24 PM
Subject: Outraged with VW's Settlement Terms

To Whom it May Concern,

I sent an email earlier this month asking my legal representation in the Volkswagen case (Lawyer Steve Berman) for information on how we can provide our "public commentary" to Judge Breyer regarding the VW settlement terms. Their response was underwhelming, dismissive, and generic. As a follow-up to my earlier email, I would like to provide you with some data behind my complaint (rather than venting my opinions). Bottom line, what VW has proposed is not fair compensation for the value of our vehicles.

1) I own a 2010 (earlier generation of TDI) vehicle. This vehicle is largely believed to be "unfixable", as it has no components to provide UREA Ad-Blue injection. It is also largely believed that this generation would require extensive hardware modifications to my vehicle to make it compliant; which would diminish performance and fuel economy (not what I bought). Granted I am not a legal expert, but given the situation I believe this generation fits into a Lemon Law, where the vehicle can not be fixed. I firmly believe that VW pay back the FULL purchase price of ~\$26,000 per vehicle.

References:

1. <https://www.quora.com/What-performance-drop-power-torque-fuel-economy-can-Volkswagen-TDI-owners-expect-in-the-wake-of-the-coming-recall-related-to-the-VW-emissions-scandal>

2. <https://www.wired.com/2015/09/vw-owners-arent-going-like-fixes-diesels/>

3. <https://global.handelsblatt.com/edition/391/ressort/companies-markets/article/law-firm-challenges-vws-diesel-fix>

2) The valuation of my car is roughly \$14,000 in VW's proposed matrix. They claim the minimum cash compensation for each vehicle is \$5,100 (meaning VW values my car at \$8,900, and is based on a NADA calculation which is still unclear). When I attempt to calculate the value of my car using NADA's online tool, I notice that the valuation of my car in VW's specifications (\$10,700), is significantly higher than VW's estimate of the tool (\$8,900). Additionally, I am perturbed by VW's choice of pricing our cars as "Trade-Ins" and not "Private Party" or "Dealer Pricing" valuations. If I were selling my vehicle before this incident, I would have sold it privately to gain the true street value of the vehicle. What also disturbed me with VW's matrix, is that customers owning the newest model years (2014/2015) came very close to reaching a 100% buyback of their vehicles; meaning they received a free car for the past two years. Why do the newest customers get better buybacks than the owners of the earlier and "unfixable" vehicles? That is not equality.

I believe VW's calculations create a grossly inappropriate valuation for our vehicles. The following website (<http://www.buybackmytdi.com/index.php/tdi-price-trends>) did a great job of tracking the valuation of TDI vehicles using Kelly Blue Book immediately after the news broke in September. In this case, my vehicle is worth \$11,911, and Kelly Blue Book is a much more respected and used standard in the auto buying experience. Granted, this doesn't factor location, but it does factor the average mileage and places the vehicle at a "Good Condition" for a vehicle at this time. If VW insists on using a calculated value of my vehicle, and maintain their claim that each customer receive \$5,100 in

compensation, this would value my car at \$17,011 (which is much more reasonable compensation). I have seen in past cases for Toyota and GM, vehicles were bought back at an "Excellent Condition", which would increase this figure. Lastly, the mileage adjustment used by VW should be eliminated from the calculation, as many owners of these vehicles bought them for long-distance driving because of their great fuel economy. Many of our vehicles do not conform to the standard 12k miles per year rule, and both VW and our lawyers know this after looking at the mileage information we provided for their systems. I personally have 102k miles today, and roughly 87k at the time the news broke on this scandal.

3) Living in [REDACTED], my costs to own and operate a vehicle here are significantly more expensive than other states, especially when it comes to emissions. Since the news broke 10 months ago, I have had to Smog my vehicle (what a shocker, it passed the test), perform regular maintenance, and resort to preventative/defensive driving to protect the car while I waited for information. I am at the point where the vehicle needs new tires (\$600-800), a costly (\$1400) timing belt change, and have already paid for additional registration (~\$170). If I have to wait longer on this issue, I and many other drivers will have to pay for these items, which is unfair. VW needs to compensate us for these items, while we wait in the dark for these nuggets of information. Additionally, I fear the possibility of what happens should my car be hit, and no longer be deemed worthy by VW for buyback.

In Summary: I strongly believe my car (and many others) fall into a [REDACTED] Lemon Law situation, and strongly urge you to influence the plaintiff steering committee and Judge Breyer accordingly. If we can't reach a [REDACTED] Lemon Law buyback, I want a more fair valuation for my car (\$17,000 - \$20,000) based on a much more widely used/accepted Kelly Blue Book tool, and a "Private Party" or "Dealer" status valuation. Additionally, I feel the increased amount is fairer compensation as I will now have to go out and buy a new car (and be burdened with car payments for several years) which I had no plan on doing back in September.

Thank you again for the hard work, and I hope you can pressure VW into a speedier settlement.

Sean McCrann

From: Mcdonnell, Miles
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 9:36:21 PM
Subject: VW buyback program.

Dear Sir/Madam:

I am writing to show my concern with the fairness of Volkswagen's estimation of vehicle values as part of their TDI buyback program. After looking through the documentation provided by Volkswagen it is my opinion, as well as the opinion of many others, through my research that Volkswagen is not using proper valuation of the vehicles involved in the buyback program. When looking at my vehicle a 2012 Passat SE TDI it appears Volkswagen valuation of my vehicle is closer to a **clean trade in** value for summer 2016 adjusted for mileage rather than a clean retail or private party value from September 2015.

For my vehicle using VW's equation for mileage adjustment. The NADA clean trade in for my vehicle today is \$12,700 plus the \$5,100 (low estimate) cash VW's is to pay, this comes to a total of \$18,800. Clean retail for my vehicle today plus \$5,100 cash is around \$21,000. Both of these numbers are within a few hundred dollars of what VW estimate is, which should be based off of September 2016 values. This seems unacceptable to me, VW is seeming to use 2016 numbers, as well as, value the vehicle at trade-in value and not on retail or private party. This will leave consumer to take almost a 20% hit in deflation over the September 2015 retail or private party figures. This would mean that the total amount VW pays to consumers who choose the buyback option, including additional settlement money, would only be equal to the clean retail or private party valuation from September 2015.

It is my opinion VW's valuation of these vehicles is too low. VW should be made to pay September 2015 retail or private party value for these vehicles. In the link below it is shown that TDI vehicles lost almost 10% of their value from September of 2015 to November of 2015. With the continued devaluation of the vehicles it seems that a better valuation of the vehicles would be to take 2016 Clean retail values adjusted for mileage and add 20% along with the additional cash VW is to pay.

A more fair valuation of my vehicle in this case would be \$18,600 plus \$5,100 (or whatever the additional cash settlement is) for a total of \$23,700 as compared to the highest VW estimates of \$21,461.

<http://www.buybackmytdi.com/index.php/10-main-news/44-kbb-values>

Thank you for your time,

Miles D. McDonnell

From: Luke McEachron
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 1:28:05 PM
Subject: VW Settlement Public Comment

To Whom it may concern,

As the owner of a VW diesel car that qualifies for the proposed settlement, I am not satisfied with the terms. I believe the proposed settlement creates an undue and unexpected burden on affected VW owners. There is simply no way I can find a comparable or replacement vehicle with the funds VW is proposing without spending a large sum of additional out-of-pocket money. Furthermore, I feel that an emissions modification will negatively impact the performance and reliability of my car. Any emissions modification that is proposed will likely be rushed together to satisfy the settlement, with no knowledge regarding the long-term consequences of the fix on the performance and reliability of the car.

For me, a comparable or replacement vehicle is a VW diesel car. I cannot find a replacement because VW has stopped selling diesel cars. Therefore, I need to buy a different brand diesel car, which are luxury vehicles at higher costs, or I need to buy a used "emission modified" VW diesel which negates taking the buyback option all together.

Unfortunately, the only real solution is to have VW provide a third option: give affected owners a new diesel car of the same model that meets emissions standards in exchange for their old car. Is it unfair to VW that owners get a new car in exchange for an old one? No, because the added cost of a new car should be seen as punitive rather than unfair. This solution is the only one that is fair to owners. It is not fair to ask owners to pay out-of-pocket to find a similar vehicle for VW's deceptive practices. A comparable car simply cannot be found on the market. Lastly, it is not fair to ask owners to accept a fix that is rushed together with likely negative impacts on the car's performance.

The only winner under this settlement, as currently defined, is VW. That is not justice and sends the wrong message to other car companies.

Sincerely,

Luke McEachron

From: ROB & ANGELA MCFARLAND
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 10:02:42 AM
Subject: VW TDi Owner Comment

To whom it may concern,

My name is Rob McFarland, and I own a 2011 VW Jetta TDi with 94,000 miles. I am the original owner and paid \$23,000 at the time of purchase.

This comment is relative to the proposed buy back option for owners of the affected 2.0 engines. Based on the calculation as presented for buy back, when factoring my specific options, I have calculated approximately \$15,000 compensation should I pursue this route.

I also understand the calculation used Clean Trade value as a basis for the calculation. I want to express formally that I do not believe this amount to be fair and equitable given the circumstances surrounding the issue, and offer the following to support this position:

- We as TDi Clean Diesel owners paid a premium for these cars at the time of purchase, under a fraudulent premise. I do not see where this addressed in the settlement for the benefit of the owners affected.
- I did not pay trade value at the time of purchase - however the compensation package is based on trade value.
- I have limited options to replace this vehicle with a similar vehicle in performance and dependability for the calculated compensation package, which means I'd likely have to incur debt. Without question - I had no plan or interest to trade this car for the next 5 years

I do not speak for other owners; however the majority of owners I routinely engage as a community believe the owners are the real victims in this matter.

We bought, in good faith, a product that met all EPA standards only to now come to understand this product is not compliant and emits up to 40x toxic exhaust fumes.

A fair and equitable calculation is full retail purchase price for all owners, regardless of current mileage - with documentation from the owner.

Thank you for the opportunity to voice my opinion.

Regards,
Rob McFarland

From: John McKelvey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 8:42:03 PM
Subject: Proposed vw emissions settlement terms

To whom it may concern,

I am the owner of one of the vehicles affected by the vw emissions settlement, and I have been corresponding with Amanda Poole, whom I was referred to as the public contact for this matter within the law firm handling the lawsuit for the class. I contacted Ms. Poole to try to gain an understanding of the eventual valuation of my vehicle under the agreement.

My basic question has to do with the Buyback provision of the agreement, which is apparently based on "Clean Trade-In" value, as distinct from the language in the Consent Decree and Appendix A, which both of which define the Buyout value under the agreement as being based on "Retail Replacement Value."

Ms. Poole described quotations of those passages as "not part of the settlement," and "not relevant," so I'm trying to understand how all this is supposed to work. As far as I can tell, my vehicle is to be bought back at a price of about 2/3 what I paid for it a little more than a year after I purchased it. I bought it used, and so the usual first-purchase depreciation had already occurred, and the idea that vw is buying the vehicles back at trade-in value when the customer has to buy a replacement vehicle at replacement value seems inequitable.

I would really appreciate it if I could receive an explanation regarding this discrepancy, preferably, the valuation of the vehicles, before any "Mileage Adjustment Modification" is applied. Thanks.

Regards,

John McKelvey

From: Renee McKissick
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/16/2016 9:46:37 AM
Subject: VW dieselgate settlement

It's time for me to weigh in:

I own a 2013 VW Jetta tdi which I absolutely love. I make about 23,000 dollars per year so it was with great anticipation and anxiety that I spent about as much as I make per year for the cost of my Jetta.

Imagine how disappointed I am with VW! I bought my car for the phenomenal gas mileage as well as the "get up and go" it has.

I had planned to keep my car for 10 years but now am faced with buying an inferior vehicle with far less gas mileage. Unless...

Unless my settlement goes like this:

I do not plan to fix my car. There is no real fix. Instead I want to sell my car back to VW. I want the original full price of 22,246 dollars; my current payoff of about 8,000 dollars forgiven; and finally 5000 dollars on top.

Only then will I consider another purchasing another VW.

Thank you,
Renee McKissick



From: Chris McManus
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 8:09:53 AM
Subject: VW Diesel

Good Morning,

My name is Christopher McManus. My father and I own a 2012 VW Jetta TDI Premium. The car is about to turn 100k. I will admit I bought the car after the scandal broke. I understand the deduction in the offer I received for doing so. But I do not understand why my car is only valued at 12,600\$. 12,600\$ will not get me a vehicle that has the same features as my TDI (sunroof, Bluetooth, fender audio system, 40+ mpg) without having to finance and I can't do that because I am now a college student and won't be working .I do not think mileage should be a factor in the buyback or at least raise the yearly mileage significantly because I like others bought the car because we plan on doing more than 12,500 miles a year. I'm am an incoming freshman in a college that's 2 hours away from where I live and had planned on keeping my TDI and getting the fix but since the fix doesn't seem like it will resolve the whole issue I can't keep my TDI. The length of time before my car can be bought back is 3-4 months away and I'm afraid my car will hit 100k before then further decreasing its value and leaving me with a crappy car. I ask that the court and or VW reconsider how they plan to reimburse us TDI owners.

Thank you

Sent from my iPhone

From: Tasha McMillan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 10:27:40 AM
Subject: VW scandal comments and feedback

I am writing to have my voice heard. I purchased my VW 2011 Jetta because I thought it was a clean diesel. I am very disappointed to learn that it produces up to 40 times more emissions. I am very saddened to learn that my car is basically worthless. I have really enjoyed driving my Jetta but since the scandal I am concerned that people will start to vandalize due to the emission issues. I am also disappointed that my fuel mileage will not be the same once they find a fix for the car. I was going to be a life time Volkswagen customer but now my foundation and confidence in VW is shattered. I would like to be reimbursed for the entire cost of my car based on the fact that I purchased this vehicle in good faith and feel I should be able to use the funds to purchase a vehicle that is honest. Thank you VW customer. Natasha McMillan [REDACTED].

From: Megan McNeill
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 11:22:47 AM
Subject: VW Diesel- Public Comment on Settlement

To Whom it May Concern,

I am the owner of an affected vehicle.

My comment is in regard to the mileage calculation. The mileage will be calculated based on the mileage when you bring your car in for a buyback minus a set number of miles per month since September 2015.

This is not acceptable to high mileage drivers. Based on that calculation my car will have an adjusted mileage of approximately 111,000 miles. But based on oil change receipts from the VW dealer, my car had 88,000 miles on it in September of 2015. That is a difference in "Vehicle Value" of \$1,140.

If owners of affected vehicles have receipts or other proof of mileage in the months after Sept 2015, those should be used to calculate the actual mileage in Sept 2015, rather than the calculated value.

Regards,
Megan McNeill



From: Clifton McWilliams
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 9:28:22 AM
Subject: 2014 VW TDI extended warranty

I think the buyback conditions are relatively fair. The one thing not covered by this agreement are the finance manager sales such as extended warranty's and service plans that we will no longer be able to use or take advantage of because of the buyback.

Thanks
Clifton McWilliams

From: Nelson Meinze
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 3:27:12 PM
Subject: VW TDI recall

Sir/ma'am

I own a 2014 Golf TDI. I have seen documentation that I would be paid \$24,000 for my vehicle but still have to work out the final amount due to mileage.

I commute to work over an hour one way and drive over 130 miles a day. I have put a lot of miles on my car. This will affect what I am offered. Since I as the consumer was lied to and hold the greatest amount at stake in this case it seems to me that I should be offered the initial purchase price for this car. I would not have purchased it knowing this issue existed. I have lost value in my vehicle with no way of regaining it even with a buy back and I will be punished further for actually have driven my vehicle?

If there is any way possible VW should be accountable to all owners for the original value not the market price plus mileage.

With this deal I will not be able to even buy a new car at the same price I spent on this one!?

As a consumer I am feeling that this deal was made at the expense of the owners. I am not feeling very protected or well represented.

William Meinze

Sent from my Windows Phone

From: A. Merola
To: ENRD, PUBCOMMENT-EES (ENRD); "pubcomment-ees.enrd@usdoj.gov."@mailsc39.usdoj.gov
CC: [REDACTED]
Sent: 7/24/2016 1:25:36 PM
Subject: Volkswagen TDI Settlement Public Comments

To whom it may concern:

In September of 2014 I leased a 2014 VW TDI Jetta on a three year lease. In the event you are not already aware, I would like to comment on **two additional deceptive practices** that VW has engaged in relating to the TDI scandal.

The Miles Per Gallon Computer on TDI Jetta is rigged to report better mileage than actual.

- o I have owned several cars over the years with miles per gallon trip computers. Of those vehicles the error rate has been no more than 2 MPG. The way I would test this is through the old fashioned method of calculating the number of gallons used from a full tank by the number of miles driven.
- o Once I started checking the actual MPG with the trip computers, I noticed a 5 to 7 MPG difference (less MPG) when comparing the trip computers reading to the old fashioned method.
- o When I told the dealership service manager of this I was told "You are lucky, most are much more than that"

The \$500 debit card and \$500 dealer dollar "Good Will" offer from VW is as deceptive as their original actions with the TDI.

- o The initial "Good Will" offer from VW stated that by taking this offer, the consumer would still have a right to file an individual law suit. Once I received the "Good Will" package, hidden in the fine print was a statement that said that by accepting this "Good Will" package, the consumer waives their right to a jury trial and must submit to an arbitration. Their "Good Will" offer was nothing more than a scam to deceive their customers once again and mitigate their liability exposure.

I am one of those environmentally conscious consumers who actually got this vehicle because it was billed as "Clean". Once I became aware of the issues with the TDI's I have limited my driving while waiting for a "Fix" which to date is still not available. As a result, as of July of 2016 I have less than 9,300 miles on the car.

I hope this information will be useful.

A.C. Merola [REDACTED]
[REDACTED]

From: Brian Meskill
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 4:46:49 PM
Subject: My opinion of the VW Settlement

Hello,

I currently own a 2014 Audi Q5 3.0L TDI. I purchased the vehicle new directly from Keyes Audi in Van Nuys, California May 2014. Personally, I am not satisfied with the proposed VW Diesel Emissions Scandal Settlement for impacted owners. The Attorney General of West Virginia yesterday(August 3rd) stated that he is seeking 10 times the premium I and other impacted TDI owners paid for the TDI engine option, to be paid back to owners for that State's restitution. The current Settlement doesn't offer anything close to that sum and California has stronger consumer protections than West Virginia, so this Settlement doesn't make sense to me. The current Settlement doesn't punish VW enough for the massive fraud perpetrated against all US consumers and the public, in my opinion. VW should pay the full price paid by owners back to each owner who opted for a TDI model since these vehicles should have never have been imported. I am now looking at a financial loss on a vehicle I have to either sell back to VW/Audi or expect substantial performance and fuel efficiency decreases all due to VW's fraudulent actions. I never intended to be forced to sell my vehicle in 2-3 years of my initial purchase, which I am now forced to do unless I want to be stuck with a vehicle with different characteristics than what I originally purchased. So, I must share my opinion that this Settlement should not be approved since it doesn't go far enough to compensate impacted TDI owners or the US public for the fraudulent actions VW/Audi/Porsche have committed.

Thank you!

Sincerely,

Brian Meskill
(2014 Audi Q5 3.0L TDI Owner)

From: Linda Mihale
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 5:11:54 PM
Subject: Jetta TDI

I am a VW 2011 Jetta TDI owner, I feel lied to and betrayed by VW as a environmentally conscious consumer I researched this car prior to its purchase. I was looking for a clean burning vehicle to reduce my carbon footprint. I paid a significant amount more to own a diesel "clean burning car", every time I start the car I am adding to the pollution not reducing it. VW has done nothing! I want the full purchase price of this worthless filthy car, I was lied to and cheated. The government is receiving fines imposed, but the consumers are not! I can't believe I must continue to drive this worthless car until the fall.

From: Willie Milberger
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 10:42:41 PM
Subject: VW Diesel Settlement - Comments from an Affected Consumer

To whom it may concern:

As an affected consumer of Volkswagen's use of defeat software in their diesel vehicles to circumvent EPA regulations, I would like to take the opportunity to comment on the terms of the settlement released on June 28, 2016. My comments are specifically related to the buyback option available to the affected consumers and the methodology used to value the applicable diesel vehicles.

The average consumer does not have the purchasing power of a dealership or automotive wholesaler and is forced to purchase a vehicle at either retail or private-party prices. When the affected consumer chooses the option to sell their diesel vehicle back to VW, they are purchasing a comparable replacement automobile at a cost in excess of the trade-in value that was received. Using the clean trade-in value fails to properly compensate those affected consumers interested in selecting the buyback option and places them at a disadvantage in attempting to make an even value exchange. I ask that consideration be given to valuing these vehicles using, at a minimum, private-party values for those consumers choosing the buyback option. Private-party or retail values are commensurate with the buying power of the average consumer unlike the proposed use of trade-in values.

I appreciate the consideration in this matter and the efforts that have been made to date by the agencies empowered to protect consumer and public interests.

Sincerely,

William Milberger
Affected VW Diesel Owner

Andrew H. Miller



Honorable Charles R. Breyer
United States District Court
Northern Court of California

August 3, 2016

Re: Volkswagen “Clean Diesel” Marketing, Sales Practices, and Products Liability

Dear Judge Breyer:

As the owners of a 2009 Jetta TDI Sportwagen and a 2014 Jetta TDI sedan (see attachment A for registrations and VINs), my wife and I have been agonizing over what to do with our two cars since the details of Volkswagen’s fraud were made public in September 2015. Having reviewed the proposed remedies in the preliminary settlement with Volkswagen, our worst fears will be realized unless you reconsider how owners are to be compensated for Volkswagen’s deceit.

Before we bought the Sportwagen as a second car in 2009 to accommodate our growing family, my wife and I made a list of features we considered essential for any car we might purchase. We both agreed that fuel efficiency and environmental friendliness were the two most important features our future car should possess. If you review Volkswagen’s TDI advertising campaign, it is clear that the company was marketing the car as clean, fuel efficient and fun.¹ Of course, we did our due diligence and consulted numerous auto guides, including *Consumer Reports*, all of which praised the performance, economy, and design features of the Sportwagen TDI. A third factor—the durability of diesel engines—ultimately swayed us to purchase the TDI instead of a Toyota Prius. Because automobiles are depreciating assets, we prefer to buy a car new, so that with diligent maintenance we can drive it for as long as possible; we simply cannot afford regular updates to our cars as if they were a new operating system or the uncertainties associated with used vehicles. Volkswagen had a proven history manufacturing diesel engines that could last well over 500,000 miles, whereas there were still questions about the lifespan of hybrid batteries back in 2009.

Needless to say my wife and I were pleased with our Sportwagen, so when we had to replace our

¹ For an example of Volkswagen’s marketing the TDI as a environmentally friendly yet fun car, see YouTube, “Volkswagen Jetta Meets Prius commercial,” accessed 5 March 2016, <https://www.youtube.com/watch?v=HhF7mVnbiXo>.

18-year-old Geo Prizm in 2014, we again purchased a Jetta TDI. Our Prizm was still getting excellent mileage and only required routine maintenance, but it failed California's smog test because of a buildup of hydrocarbons in the engine (see attachment B). Our mechanic said we would have to rebuild the engine to fix the problem, but we ironically figured that it would be better to apply the cost of such an expensive repair toward a new car that would be much cleaner for the environment in the long run. Sadly we were mistaken.

For the sake of our two young children's future, we try to minimize our negative impact on the environment. When we learned of the TDI's pollution, we were deeply troubled and decided to return both cars using the Lemon Law so that we could replace them with cars that meet our standards outlined above. Volkswagen rejected our request (see attachment C) saying the cars do not meet requirements for a repurchase. Of course, the letter does not specify which requirements are not met, so I can only guess that it is because Volkswagen has not been given adequate opportunity to fix the problem. I would contend, however, that Volkswagen already tried to fix the problem in the spring of 2014 with a software upgrade. That obviously failed to solve the problem. Its most recent proposal to repair the emissions system has been rejected by California's Air Resource Board (CARB), and even if CARB approves a fix, engineers agree any fix must negatively impact the TDI's fuel efficiency and sporty performance.² If Volkswagen cannot repair the car so it can perform as marketed to perform when sold, then according to the Lemon Law we should receive a full refund for the car, not a refund based on the depreciated value of the car as described in the proposed settlement. Sadly, we do not have the money to hire an attorney to fight Volkswagen for our recompense under the Lemon Law, and I'm sure Volkswagen is counting on this fact when it drafts rejection letters such as those I received.

Regardless of my "non-legal" interpretation of the Lemon Law, this settlement will only hurt owners unless owners are reimbursed for the full purchase price of the vehicle. They will have the displeasure of driving a retrofitted car that performs differently than the car they bought, or they will have the stress of trying to buy a new car. A few owners are probably wealthy enough to purchase a new car without any financial concerns, but for my wife and I, this settlement will force us to acquire new auto loans for amounts greater than the loans we paid off or are paying off to purchase our current TDIs. We had not been planning on buying new cars for another ten years at least, so our savings for such a purchase are quite modest at present. Volkswagen, on the contrary, will have a significant portion of my original purchase price and a car that the company can use for parts, or more likely, resell in a third world country with less stringent environmental

² Umber Irfan, "Why Volkswagen Declared Defeat in Diesel Cars," *Scientific American*, 9 October 2015, accessed August 1, 2016, <http://www.scientificamerican.com/article/why-volkswagen-declared-defeat-in-diesel-cars/>.

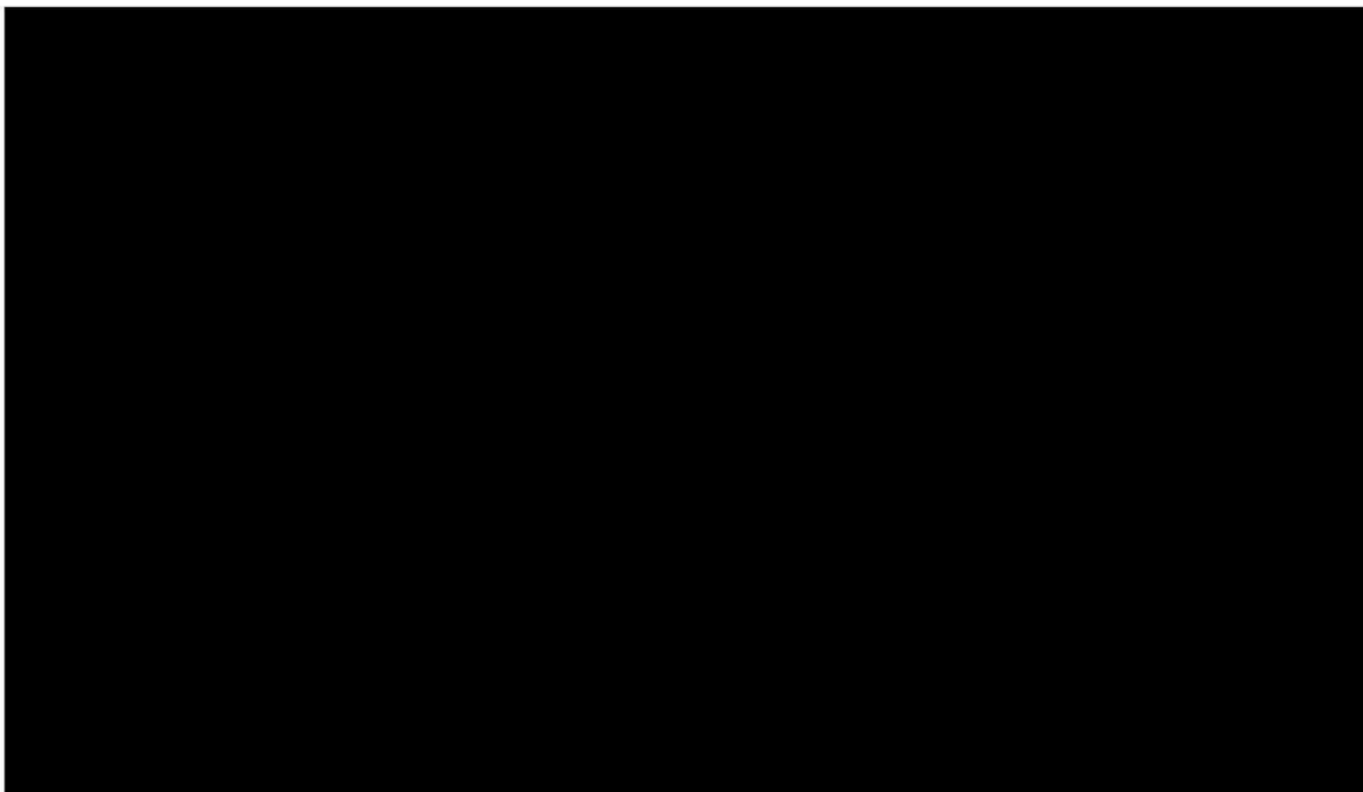
laws. Even if Volkswagen loses some money, the company will be in far better financial shape than many of its customers, not to mention the environment.

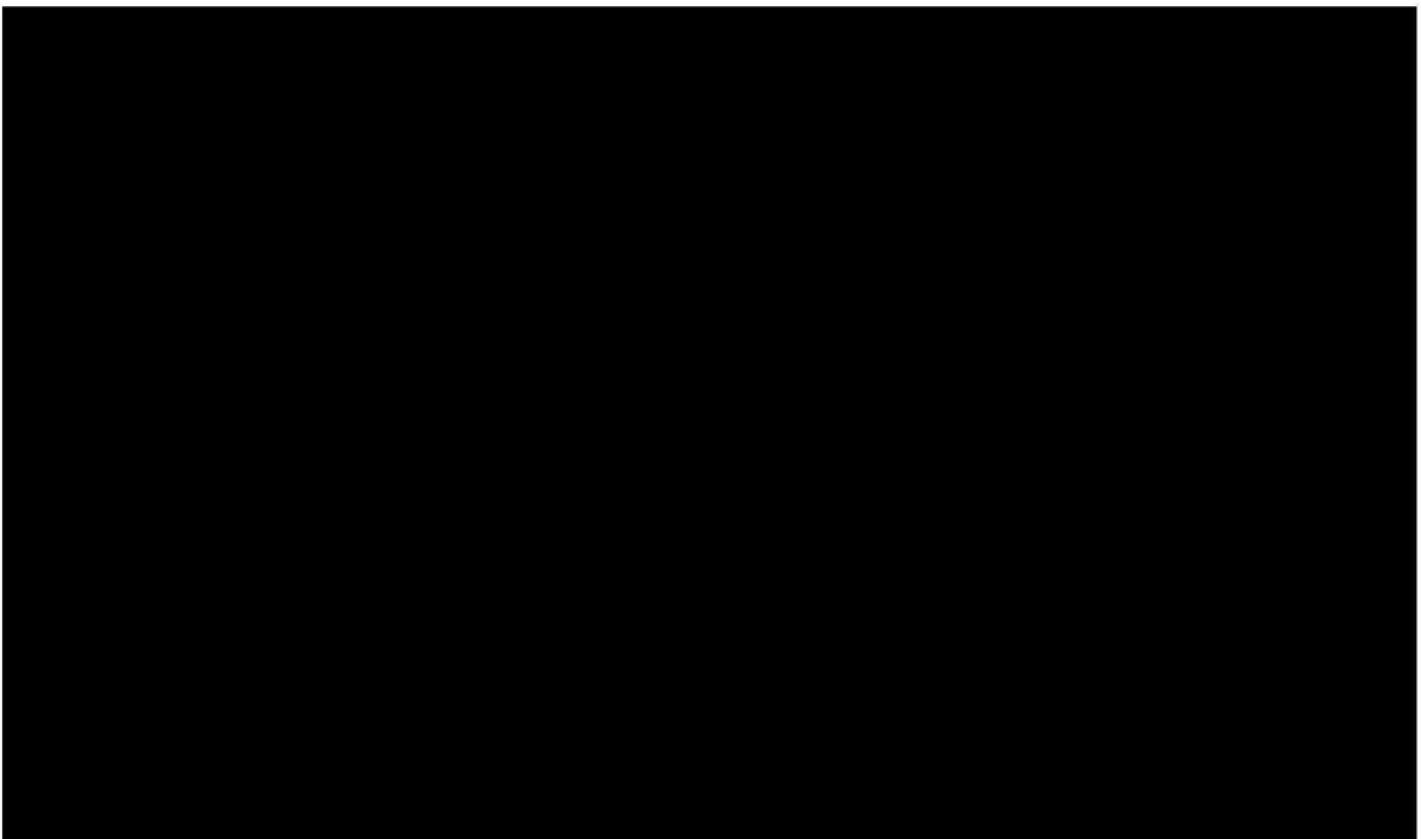
Your Honor, I beg you to reconsider deducting for the vehicle's use in the compensation to current owners. This deduction assumes owners would have purchased the TDI even knowing about its deficient emissions system, but this is a faulty assumption. I have tried to describe my attitude toward car ownership to illustrate why we decided to buy a TDI in the first place, and I hope you can see that had we known about the issues with the TDI, the cars we would be driving today would not have the VW logo. I am not naive enough to believe that our attitude is shared by all members of the class, but the values that led us to purchase the TDI are by no means unique either.

Sincerely yours,



Andrew H. Miller





Smog Check Vehicle Inspection Report (VIR)
Vehicle Information

Overall Test Results - FAIL

Repairing your vehicle is necessary to help California reduce smog forming emissions and reach our air quality goals.

Comprehensive Visual Inspection: **PASS** Functional Check: **PASS** Emissions Test: **FAIL**

Emission Control Systems Visual Inspection/Functional Check Results

(Visual/Functional tests are used to assist in the identification of crankcase and cold start emissions which are not measured during the ASM test.)

<u>RESULT</u>	<u>ECS</u>	<u>RESULT</u>	<u>ECS</u>	<u>RESULT</u>	<u>ECS</u>
PASS	PCV	NOT APPL	Thermostatic Air Cleaner	PASS	Fuel Evaporative Controls
PASS	Catalytic Converter	NOT APPL	Air Injection	PASS	Oxygen Sensor
PASS	Exhaust Gas Recirculation	PASS	Spark Controls	PASS	Carb./Fuel Injection
PASS	Wiring to Sensors	PASS	Vacuum Lines to Sensors/Switches	PASS	Other Emission Related Components
PASS	Fuel Cap Visual Test	NOT APPL	Ignition Timing	PASS	System Malfunction Light
PASS	Fuel Cap Functional Test	NOT APPL	EGR Functional Test	PASS	Liquid Fuel Leaks
NOT APPL	Fuel EVAP Test				

ASM Emission Test Results

Test	RPM	%CO2		HC (PPM)			CO (%)			NO (PPM)			Results
		MEAS	MEAS	MAX	AVE	MEAS	MAX	AVE	MEAS	MAX	AVE	MEAS	
15 mph	1733	14.44	0.03	64	9	190	0.55	0.03	0.40	477	6	0216	FAIL
25 mph	2739	14.59	0.00	47	6	70	0.54	0.03	0.33	764	62	0044	FAIL

MAX=Maximum Allowable Emissions

AVE=Average Emissions For Passing Vehicles

MEAS=Amount measured

Failed smog check? Financial assistance may be available. To get an application, visit the Bureau of Automotive Repair's website at www.smogcheck.ca.gov or call toll-free at 800.952.5210.

Si usted ha fallado el examen de smog, asistencia financiera puede estar disponible. Para obtener una solicitud, visite www.smogcheck.ca.gov o llámenos a BAR al 800.952.5210.

Smog Check Inspection Station Information

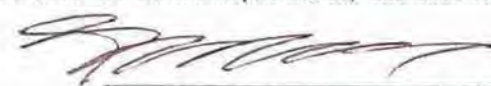
SUN-FAX ARCO
7901 SUNSET BLVD.
LOS ANGELES, CA 90046-99000
(323) 876-3319

Station Number: RC134626

Technician Name/Number: VASQUEZ, JOSE /EA143137
Repair Tech Name/Number: N/A
Software Version/EIS Number: 1101/SO4111067

I certify, under penalty of perjury under the laws of the State of California, that I inspected the vehicle described above, that I performed the inspection in accordance with all bureau requirements, and that the information listed on this vehicle inspection report is true and correct.


3/12/14
Date




Technician's Signature



April 1, 2016

Volkswagen Group of America
3800 Hamlin Rd.
Auburn Hills, MI 48326
Telephone 844 862 8942
Fax +1 248 754 6504

Andrew Miller



RE: 2009 JETTA SPORTWAGEN TDI MANUAL
Case: 
VIN: 

Dear Mr. Andrew Miller,

On behalf of Volkswagen of America, Inc. ("Volkswagen"), an organizational unit of Volkswagen Group of America, Inc., this letter will acknowledge receipt and respond to your request for the repurchase of your vehicle as a result of the recent news regarding emissions issues with certain VW TDI vehicles.

The trust of our customers and the public is our most important asset. While the service history of your vehicle does not meet state or federal requirements for a repurchase or replacement, please know that there are efforts underway to ensure that both your vehicle and your trust in our organization are remedied. A remedy of the TDI emissions issue is in the process of being developed and we greatly appreciate your patience during this time. As a measure of goodwill, Volkswagen has communicated initial steps to show gratitude to owners of affected vehicles for their patience while long term measures are put into place. Information with regard to this goodwill offer can be found at www.vwdieselinfo.com.

We apologize for any difficulties you may be experiencing, and wish to assure you that once a remedy has been determined for the relevant vehicles, the owners of those vehicles will be contacted. In the interim, please note that on September 18, 2015, the United States Environmental Protection Agency (EPA) stated that the emissions issues "do not present a safety hazard and the cars remain legal to drive and resell."

We will continue to work within the terms of any applicable manufacturer's warranties to address any verifiable concerns with your vehicle. If you experience any additional concerns with your vehicle, please contact an authorized Volkswagen dealership to schedule a service appointment. Should there be additional information regarding your vehicle's service history that you would like us to consider, please contact Customer Resolution & Retention at 

Sincerely,


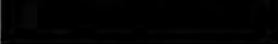
Customer Resolution & Retention

VOLKSWAGEN
GROUP OF AMERICA

April 1, 2016

Volkswagen Group of America
3800 Hamlin Rd.
Auburn Hills, MI 48326
Telephone 844 862 8942
Fax +1 248 754 6504

Andrew Miller



RE: 2014 JETTA TDI 2.0L MANUAL
Case: 
VIN: 

Dear Mr. Andrew Miller,

On behalf of Volkswagen of America, Inc. ("Volkswagen"), an organizational unit of Volkswagen Group of America, Inc., this letter will acknowledge receipt and respond to your request for the repurchase of your vehicle as a result of the recent news regarding emissions issues with certain VW TDI vehicles.

The trust of our customers and the public is our most important asset. While the service history of your vehicle does not meet state or federal requirements for a repurchase or replacement, please know that there are efforts underway to ensure that both your vehicle and your trust in our organization are remedied. A remedy of the TDI emissions issue is in the process of being developed and we greatly appreciate your patience during this time. As a measure of goodwill, Volkswagen has communicated initial steps to show gratitude to owners of affected vehicles for their patience while long term measures are put into place. Information with regard to this goodwill offer can be found at www.vwdieselinfo.com.

We apologize for any difficulties you may be experiencing, and wish to assure you that once a remedy has been determined for the relevant vehicles, the owners of those vehicles will be contacted. In the interim, please note that on September 18, 2015, the United States Environmental Protection Agency (EPA) stated that the emissions issues "do not present a safety hazard and the cars remain legal to drive and resell."

We will continue to work within the terms of any applicable manufacturer's warranties to address any verifiable concerns with your vehicle. If you experience any additional concerns with your vehicle, please contact an authorized Volkswagen dealership to schedule a service appointment. Should there be additional information regarding your vehicle's service history that you would like us to consider, please contact Customer Resolution & Retention at 

Sincerely,

Customer Resolution & Retention

From: Jim Miller
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 12:10:35 PM
Subject: VW Diesel settlement and overseas military/DoD civilian owners

To whom it may concern,

I bought an affected U.S. specification VW Passat (2014 TDI SE) and recently visited the MCS (Military Autosource) dealer in our area ([REDACTED]). The information they (MCS) currently have is that our vehicles are NOT part of the agreement reached between the company and the government.

I (along with many other affected military and DoD civilian personnel) am currently serving our country overseas and feel we should be included and any agreement reached with Volkswagen.

My wife and I bought the vehicle and paid a premium for the diesel engine because of the performance (most notably the increased miles per gallon without an environmental penalty due the "clean diesel" technology) . We had every intention of keeping this vehicle for many years, including taking it back with us to the continental United States when our tour of duty is over. Our American vehicle is in [REDACTED] on a temporary basis (per the Status of Forces Agreement), is financed by an American bank, is insured through an American insurance company, and registered with the military system through our government.

I hope that we who are serving overseas are not ignored in this settlement.

Sincerely,

James L. Miller

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:23:56 PM
Subject: VW scandal

To whom it may concern,

There are a couple of concerns I have with the agreement. But first off let me say that I think the deal is pretty fair. The lawyers are the ones who will make the most in this, which is sad. They're not even the consumer.

Some concerns I have: There are two funds, one if you got a lawyer and one if you didn't. Is the compensation the same? When I bought my car it was a certain value. It would cost more today to buy the same car due to inflation. I also bought the extended warranty. I feel I should be reimbursed for that. It's also my understanding that the value of my car will be that of what it was before the scandal broke. Who's deciding that? Plus, they should take into account that if I bought a car for a set dollar amount it wouldn't be worth that same amount as soon as I drive it off the lot.

Like I said, I think the compensation is pretty fair. Not that anything will change because of what I said here or if anyone will read this email for that matter.

Thank you,
Frank Minnie

Sent from my iPhone

From: Leon Minton
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 4:21:44 PM
Subject: VW TDI Buy Back

If I take the Buy Back option and decide to replace the TDI vehicle with another VW Gas vehicle, I would hope that I would receive the same credit toward sales tax as if I were trading in any other used car when buying a new car. Whether that would be extended to other Car Companies would also be of concern if I did not buy another VW vehicle.

Leon

From: Brian Mittelstaedt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/25/2016 11:56:08 AM
Subject: Comment on the Proposed Settlement with VW

To whom it may concern -

I want to thank you for your efforts in reaching a proposed settlement with VW in their egregious cheating on US emissions. I feel though that the settlement is unfair to owners of early-model VW diesel included in the action. Specifically, I believe that the compensation for actual damages is not reflective of the magnitude of emotional distress caused to older-model owners.

I own a 2010 VW Jetta TDI Sportwagen. It was purchased specifically to mitigate the climate impact caused by my roughly 25K mile annual mileage. My partner drives a 2009 Toyota Prius and teaches Environmental Politics at Syracuse University. We regularly drive between my home in [REDACTED] and her home in [REDACTED] as we raise our now 6 y.o. daughter. Our choice of the VW was not taken lightly. We wanted a larger car for the family and one that was consistent with our commitment to environmental issues. VW's 'Clean Diesel' seemed the perfect fit.

With their organizationally-systemic, prolonged deception VW has inflicted the burden upon its vehicle owners that they have been polluting the environment at sickeningly high levels. I want compensation reflective of the 6 years of pollution I've been spewing into the atmosphere! Instead, the settlement seems lopsided with more compensation for damages awarded to owners of newer cars.

Please reconsider the fairness of this lopsided distribution and demand further compensatory measures for older-model vehicles from VW.

Thank you for your consideration and continued efforts to make this an equitable settlement.

Brian Mittelstaedt

From: Woody, Carolyn (ENRD) on behalf of ENRD, WebContentMgr (ENRD)
To: Cooney, Nigel (ENRD)
Sent: 8/5/2016 2:32:34 PM
Subject: FW: Why are we not being represented in the Volkswagen suit?

-----Original Message-----

From: Jon Mitts [REDACTED]
Sent: Tuesday, August 02, 2016 6:38 PM
To: ENRD, WebContentMgr (ENRD) <WENRD@ENRD.USDOJ.GOV>
Subject: Why are we not being represented in the Volkswagen suit?

To whom it may concern,

I am a owner of a 2011 Volkswagen TDI vehicle and I must say that this class action lawsuit is a complete joke. This has been dragged out way too long and the compensation amount is ridiculous. I will be losing money with this settlement and still need to go out once the buy back is complete and have to find and purchase a vehicle all over again. The claim forms I have filled out have not been accurate on the dollar about that I should receive by almost \$2000. Even if it was correct and I did get \$2000 more dollars then i would still be screwed when trying to find a new vehicle. I will have no time to find a vehicle since i have a job and cant just take off a month to have someone drive me all over the state to look at one till I find the car that I can afford and want. Compensation should be something that makes the plaintiff happy not upset. We are the victims. How can the EPA get all the money that they will eventually just blow it on salaries of government employees that probably didn't have anything to do with this case. Perhaps the owners of effected vehicles should have an opinion if the proposed agreement is what we want or if it is unacceptable. Please consider the people who are left without a voice during this investigation.

Sincerely,
Jon Mitts

From: steve moore
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 5:10:49 PM
Subject: VW Diesel Settlement

Hello,

I own a 2012 VW diesel impacted by the emissions problem and have been following the resolution details closely since the EPA announcement in Sept 2015.

With the resolution details now somewhat clearer I would like to say both thank you to those involved in helping reach an agreement, but also that I'm not certain that the compensation details are going to treat each owner fairly.

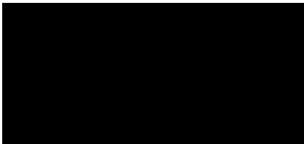
I plan to sell my car back to VW, primarily because I do not believe there is an acceptable fix for the problem. I am an engineer who works with combustion related consumer products, and I see little hope for this to end well on the technical side.

Since the emissions problem was revealed I have incurred about \$1500 in expenses to maintain my car, including dealer visits and a set of new tires. I don't see where NADA estimates of fair market value for a "clean" vehicle are taking into account any of these expenses. If the car is sold back I will not get to take full advantage of what I paid for.

Additionally, in the state of Illinois (and I suspect most other states), I would receive a credit for taxes paid on the the unpaid portion of my ar loan. This is also not covered in an NADA estimate of fair market value. In my case, without that tax credit, I'm out another ~\$800.

In my case, the concerns above add up to ~\$2300, which will be only a few hundred dollars less than the additional compensation being offered by VW (I am assuming the "back end" compensation will be taxed at my normal rates). So the benefit to me is a few hundred dollars in my pocket and the hassle of having to shop for and buy a reliable car on the used market that doesn't add more car payments to my life that I was anticipating before all this began. Not great.

Best Regards,
Steve Moore



From: Eric Ryan Morrison
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 12:59:09 PM
Subject: VW Settlement Comments

To Whom it May Concern -

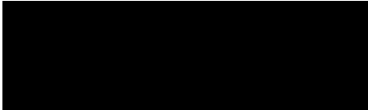
The settlement struck between the government and Volkswagen does not go far enough to make previous owners of TDI vehicles whole again. For those of us who sold our vehicles shortly after the scandal was publicly announced and took the largest hit to the value, it now appears we will be required to split the settlement between with the new owner.

In my case, I purchased a new 2013 VW Jetta TDI for approximately \$28K with all options. In November 2015, my circumstances changed and I needed to sell the vehicle because my new work location was often inundated with snow and required an all-wheel-drive vehicle. My vehicle only has 21K miles on it. Prior to the scandal announcement, my vehicle was worth approximately \$19-\$20K; however, the quotes I was getting from VW dealers after the scandal was only about \$10-\$11K. After shopping around, I was able to get \$13K for the vehicle.

The idea of splitting the settlement with the new owner is absurd when the new owner knowingly purchased the vehicle with a recall at a substantial discount.

Previous owners should be made whole, and if the new owner wishes to sell the vehicle back to VW, it should be done at the price they purchased the vehicle.

Eric Morrison



From: Patrick Muller
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 11:38:58 PM
Subject: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

To who it may concern.

I own a 2011 VW Jetta TDI
Navigation
Power sunroof
VIN - [REDACTED]
Mileage 247,000

I have reviewed the proposed settlement and have one concern.

I understand and agree with the ruling that the value of my vehicle be taken from the NADA guide and retroactive to before the scandal came out in September 2015.

Based on document 1607-1 my vehicle will have a SW region value of \$17,057 + \$630 (navigation) + \$540 (sunroof) = \$18,227

Based on the mileage table (document 1607-8) I will have a deduction of \$7,680 bring the buyback amount down to \$10,547

My concern and objection is where this value comes from for the mileage deductions.

If I input my vehicle today into NADA's website and put in 247,000 miles the deduction is \$3,480
If I were to input just 200,00 miles, it still deducts \$3,480
If I were to input more and put 300,00 miles it still deducts \$3,480

If I were to even put in 120,000 miles the current deduction is \$1,900 miles but with the current proposed settlement the deduction would be \$3,300

I feel both the value of the vehicle and mileage deductions should be taken from the NADA website and the mileage deductions should be changed. I am losing value of my vehicle and the buyback amount with no consistent formula.

This would change my buy back amount to:
SW value of \$17,057, plus navigation \$630, plus sunroof \$540 equals \$18,227, minus NADA mileage deduction \$3,480 equals \$14,747

Thank you for you time to consider my concerns.

Patrick Muller
[REDACTED]

From: Deena Murawski
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/16/2016 11:06:28 AM
Subject: Public Comment - Emmisions Scandal

Good morning!

I ask that Volkswagen is diligent in ensuring they communicate with the correct diesel owners!!

It is my understanding that for the "goodwill" packages offered earlier this year, they used a "different mailing list" for notifying owners of the offering. I've received other recall notices successfully since purchasing my Jetta, but NEVER received the notification of the goodwill package. VERY disappointing and they had better ensure that I, as the current owner of this car, receive any and all communications regarding this settlement!!!

Thank you for your time! Please contact me should you require any additional information to submit this statement under public comment.

Deena Murawski



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 9:19:15 PM
Subject:

I own an effected model. I feel that I was defrauded. I was told by the dealer that these "Green" cars are designed to be driven lots of miles, which I did. And now my compensation will be greatly reduced due to high mileage.

Am I once again going to be victimized at the hands of VW technology?

My odometer is inaccurate; it runs high (for each mile travelled, the odometer records more than one mile). I do not believe this is an isolated occurrence. Certifying each vehicle's odometer accuracy is the only proper manner to determine the true mileage upon which a high mileage depreciation penalty is assessed.

VW should be given the option of:

- 1). Certifying the that odometer reading of each vehicle is exactly the same as the actual number of miles the vehicle has travelled then applying the necessary mathematical correction to the high mileage depreciation penalty; or
- 2). Dispensing with the high mileage depreciation penalty completely.

Determining a high mileage depreciation penalty based on inaccurate odometers may allow VW to unjustly enrichment itself at the expense of beleaguered owners.

This could bring the court into disrepute.

Scott Murray.

From: Jim Mutton
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 11:27:08 PM
Subject: TDI Settlement

Your Honor.

I wish to make a comment concerning the VW TDI Settlement.

While I feel that the settlement covers a number of factors fairly, there is one aspect of it that, in my opinion, is not, and that is the use of mileage to calculate the buy back amount.

I understand that it is common industry practice to use mileage as one of many aspects to determine the value of a vehicle. However, the condition of the vehicle being evaluated in this way is done so from the aspect of its resale value; dealers "buy" the vehicle from the customer with the intention of reselling it, either from their own lot or selling it to another dealer. All of this process is geared towards the dealer paying a fair price in order to make a profit later; it is not intended as a good will gesture towards the customer. This is normal and accepted behavior.

In regards to the TDI scandal, these cars are not being bought back for the purpose of reselling. They are being bought back because VW broke the law and sold vehicles that polluted more than allowed. The vehicles that they buy back will never again be driven on the roads of America, and not by VW's choice; they are being forced to do this because they broke the law.

I purchased my TDI Jetta for many reasons, but chief among them were the notorious diesel reliability (high mileage capable), the low environmental impact and the fuel mileage. Having a long commute (~80 miles per day) and having family living in another state, I wanted a vehicle that would last and believed that the VW Jetta was the car. If the Jetta had been advertised in its true form, I would have turned to other diesel vehicles. As it turns out, since VW sold me a car that did not meet my needs, I have driven the car as I intended and have caused damage to the environment that I did not intend to cause.

I feel that using mileage in the equations is letting VW off the hook and is allowing them to use an accepted practice in a way it was not intended.

Again, in my opinion, I believe that the calculation to determine the buy back value of the vehicle should use the highest possible value of the vehicle in question that was published by the NADA Blue Book on the September date. No mileage adjustments, no "middle of the road" values.

Thank you for the opportunity to voice my opinion.

Respectfully yours,

Jim Mutton.

From: Leigh Natale
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 11:59:02 AM
Subject: Approved Emissions Modification Restitution

I am one of the unfortunate consumers that purchased a 2009 Jetta TDI. For me, the proposed settlement is not enough. A \$13,877 Buyback and \$4,802 (Desert SW) modification amount to not reimburse me for the \$27,000 we paid in good faith for this car. What about the taxes we paid?

We should be able to return the car and get a new one or a complete refund like you would for any damaged product. Just because it was older or other variables does not take into account the fraud that was perpetrated here. I should be made whole at the time I purchased the car not at the time they figured out the problem.

Come on Feds you can do better for us!

Leigh Natale

From: kennaughton [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 10:03:34 AM
Subject: VW settlement opinion

There are 2 points that don't make sense to me regarding the VW settlement. The proposed settlement is offering compensation based on the age of the vehicle with newer vehicles receiving higher amounts. This makes no sense. I believe that it should be mileage based but with the complete opposite logic. A consumer that was duped into polluting for 100k miles should be compensated more than a consumer with a newer vehicle with 10k miles worth of polluting. I understand the logic for calculating buyback amounts but not for the compensation.

The second issue I have is with the method used for the buyback mileage deduction for rolling back to Sept. 2015. The current method is using a set annual mileage amount based on the typical average annual use of a vehicle that is deducted from your mileage when turned in. I currently drive 30-40k miles per year so this method is going to estimate my mileage at Sept 2015 to be much higher than it was. The current method is going to put my mileage at 20k more than it actually was in Sept 2015 which correlates to a significant decrease in the buyback amount. I believe that this method should be used if a dealer has no record of mileage from a service call etc. but I also believe they should use the last known mileage closest to Sept 2015 and use the average annual rate from that point in time. Mileage was also recorded from the original "good faith" payout that had been offered in the early stages so there should be a record of mileage closer to Sept 2015.

Thank You,
KN

From: Tim Nayar
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 1:41:54 PM
Subject: VW Settlement Comments

My concern is that the settlement amounts will not restore affected owners to their original state. For instance, my car is a 2013 model, but because of the tax I will pay on a punitive settlement (1-30%), as well as the tax on the replacement car purchase (10-12%), and the title/registration fees (5%), I will end up several thousand behind a replacement vehicle cost. I believe the settlement calculations should be increased to account for these additional expected fees/taxes imposed on the affected consumers.

Additionally, the settlement states that I cannot object to the proposed settlement without binding myself to the terms of the settlement. How on earth is that supposed to allow for the affected consumers to provide a voice to the settlement?

-Thank you for your time,
V Timothy Nayar



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 12:33:06 PM
Subject: VW Diesel Emissions Settlement

Sent to the court:

Clerk of the Court
Judge Charles R. Breyer
Philip Burton Federal Building
United States Courthouse
450 Golden Gate Avenue
San Francisco, CA 94102

I wish to submit my objection to the Class Action Settlement In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, No. 3:15-md-2672 (N.D. Cal.);.

I base my objection on my 15 years of experience as an insurance adjuster. Essentially, these vehicles are being treated as total losses. That is the only reason you would choose the Kelley Blue Book (KBB) value as a basis for the settlement.

It is well accepted in the total loss industry that KBB values are a poor guide for vehicle values and you need to perform a market survey to find what a vehicle would have brought on the local market prior to the accident.

In performing a market value, an insurance adjuster will find recent sales, or estimated prices if sales do not exist, of a minimum of three vehicles with the same features and miles. I recently saw a market value with 43 cars listed. This data is available from insurance companies for current vehicles. There are no insurance companies that I am aware of that use KBB to set settlement values on total losses because they can't settle claims for those arbitrarily low values!

I wonder if the court could inquire with the attorneys to see if insurance company or their sources records could be searched to see if total loss information exists for the VW models around that time frame. That information would provide much better valuation than KBB.

I live near [REDACTED] and quickly reviewed microfilm copies of the [REDACTED] Times newspaper for August and September 2014 for used VW diesel vehicles. I planned to look at only September, but found no vehicles that met the parameters. In fact, I found 1 vehicle, on August 10, 2014 (copy enclosed) , a 2010 Jetta TDI. Only 1 vehicle in an over million population area in two months gives you the lack of used market. That vehicle was listed for \$18,400.

The settlement offer is \$14,177 (base model).

Admittedly, one does not know the model, full condition, mileage or add ons the car had. There is no allowance for the personal insult that VW put that owner through yet that vehicle is over \$4,000 short of what seems to be market value. I was hopeful I could provide multiple examples. The scarcity of data is just another point that shows why KBB is unreliable for each market and why local market surveys are what insurance companies have to use for total losses on vehicles.

For our personal vehicle, a 2013 Beetle Convertible, the value offered is significantly low. Part of that is the lack of these vehicles in this market. We will not take the trade in offer for certain.

I believe the settlement needs to be revised to use market data from that time frame to establish value versus the broad brush approach of KBB values. KBB is expedient, but not widely accepted amongst insurance companies as the values simply do not approximate pre-loss vehicle value. Take the time to get the offer right here, or consumers will not accept what they are being offered.

If the court will not allow that, then perhaps allowing owners to gather their own evidence of market value may be an option. I well realize this requires another layer of adjudication but without it these vehicles will stay on the road, and likely unrepaired.

With the way the settlement is structured, you will take the vehicles that have significant body damage, wrecks, high mileage or other defects but not 85% off the road. My guess is you will take 30% off the road and 20% will opt for fixes, if any are found. The whole settlement scheme using KBB is short because if you are totaling vehicles, you need to offer the market value, not something the average consumer knows falls well short of that mark.

Of course, using KBB for the market value keeps the insult payments low as well. It may be that we are well down the road on this settlement, but as the Judge in this matter, I am hopeful my insight into what is unworkable in this settlement will cause you to pause and consider just how many consumers will actually accept the offer so these vehicles will be removed from service.

Sincerely,

David Neault
2013 Volkswagen Beetle Convertible

Ownership: 9/14/13-Current

From: Jim Neilson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 4:57:13 PM
Subject: re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

Greetings-

I would like to go on record that I am not satisfied with the economic terms of the proposed VW Dieselgate settlement.

I am the owner of a 2013 Volkswagen Jetta Sportswagen TDI. I purchased my new vehicle based on long-term ownership goals, not short-term use with a trade-in after a few years. The long-term reliability of a diesel engine is higher than a gas powered engine. With this in mind, I researched all diesel engine vehicles that fit my space requirements for the present and the future. VW had the best combination of power, torque, space, and affordability in the diesel wagon segment. This, as well as a favorable history of past VW ownership was why I decided to purchase a new 2013 JSW TDI. I had every intention of driving this vehicle for a minimum of 12 years, and more than likely I would have operated it well past that.

This car is a "Generation 1" vehicle, and as such will not have an economically feasible fix that will meet the CARB requirements (as I am a resident of [REDACTED]). Being a resident of [REDACTED] I realize the choice of 'doing nothing and keeping my car' is not a real option, as [REDACTED] will require my car to be removed from service in the future and has the means to refuse to re-register said vehicle. Therefore the only viable option for me is to have VW buy-back my car.

VW knowingly broke the law and got caught. As wrong as that is, I do not feel that I have been personally "damaged" in any philosophical/moral/physical way. I just want to be "made whole" for the loss of long-term operation of my vehicle.

My main opposition to the proposed settlement has to do with the use of "Clean Trade-in" as of 9/2015 as the valuation point for my vehicle. My reasons are as follows:

- I am not "trading in" my car. Instead, it is being purchased back by VW as a result of their criminal acts.
- I will need to replace this car with another.
- Any replacement car will not be sold at a "Clean Trade-in" price- as of 09/2015. It will be sold at fair market value at the point in time that I am required to sell my JSW to VW.
- My choices for "like-for-like" replacement vehicles to make me whole again has been reduced with the loss of VW TDI wagons.
- The remaining 'like-for-like' replacement vehicles (diesel wagon with long-term reliability) reside in higher price points than my VW JSW TDI.

Clean Trade-in Value for my car will not allow me to purchase a like-for-like car to make me whole again. I cannot replace my JSW TDI with an equivalent vehicle without taking a substantial financial hit.

The way this settlement has been proposed I have two valid options:

1. I settle for less than it will take to buy a like-for-like replacement vehicle and buy an inferior car to what I had, or
2. I take less than it will take to buy a like-for-like replacement vehicle and then suffer a financial penalty to buy a like-for-like replacement car.

To be required to buy an inferior vehicle to what I had or to take a financial penalty to replace what I had -due to the illegal actions of the company who profited from my purchase- does not fit the description of being made whole again.

Thank you for your time

Jim Neilson




From: Sara Nicol
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 11:55:00 AM
Subject: In re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

In re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

As an owner of an affected vehicle in this matter, I have reviewed the Partial Consent Decree and associated filings and found them to be satisfactory. I hope that the United States District Court for the Northern District of California will approve the Partial Consent Decree as filed and allow the required actions to be implemented as quickly as possible.

Thank you for the opportunity to comment.

Sincerely,
Sara Nicol


Owner of a 2014 Volkswagen Jetta Sportwagen TDI

Comments on the proposed Volkswagen Diesel Emissions Settlement

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Charles Niederhaus

August 4, 2016

I am an owner of a 2015 Golf TDI vehicle that is subject to the terms of the proposed settlement to the Volkswagen Diesel Emissions Settlement. I am deeply disturbed by Volkswagen's actions, both in the malfeasance and the lack of remorse and corporate desire to address the processes and personal that led to the act. I have not yet decided how I will move forward with respect to my options with this specific vehicle, and if I will ever be associated with a Volkswagen corporate product in the future. However, I believe in this legal process of a Consent Decree, and hope that a final, satisfactory settlement can be reached. Overall, I believe that the proposed settlement is satisfactory in most areas, but has several deficiencies that need correcting. I have several comments I wish to submit, many on the relatively unequal treatment given to 3rd Generation Vehicles that were less than 1 year old at the time the EPA determined that Volkswagen had violated EPA regulations. The proposed settlement also shows its rushed nature by not fully understanding how to determine Vehicle Value for 2015 vehicles without a NADA value, especially related to option adjustments. My comments on the proposed settlement are below, along with my proposed changes.

Wholesale Value for Buyback

The true wholesale value for an automobile at trade-in is the NADA wholesale value + the avoided state and local taxes in many locales (8.00% in my case). The Buyback amount should include adjustments for these taxes. It could be either a fixed percentage based off typical values, or the actual value based off the owners local tax rate. I recommend a constant 8% adjustment for state and local taxes as it appears to be representative of an average across the United States.

2015 Depreciation Amount

It is unacceptable for a purchaser of a new vehicle to take a 35% net loss in value for a vehicle that is less than 1 year old at the time of the announcement.

- The proposed settlement of the wholesale price does not take into account the taxes and title, license, and dealer fees that be required to replace the vehicle.
- I purchased a 2015 Golf, an award-winning new design vehicle that would have significantly less depreciation than a Passat based off an old, poorly received design on which the depreciation is calculated from.
- The depreciation listed is significantly more than the industry average.
- Some buyers could have had their vehicle for only months or weeks, yet are penalized for year's depreciation.
- Owners expect to amortize the depreciation over several years, and rarely trade in a vehicle in just one year. I was replacing a vehicle that was over 7 years old. The average length of new car ownership was 64.7 months in 2014 according to NADA (http://nhada.com/docs/NADA_Q3_WhitePaper.pdf)

I believe that:

- 2015 owners should be paid full MSRP + tax + title, license, and dealer fees.

- At minimum, 2015 owners should have value reflecting a prorated depreciation over a industry standard new car ownership length, (64.7 months). A value of 10%/year would be appropriate based on typical 50% value retention over 5 years (<https://www.nada.com/b2b/Portals/0/assets/NADA%20Perspective/2014/201402%20Perspective%20Retention.pdf>).

Incorrect 2015 Manual Transmission Adjustment

There should be no option adjustment for “No Auto. Trans.” as the adjustment is already taken into account when using MSRP as a basis in value. The wholesale value of 2015 vehicles is based off a percentage of the MSRP. The manual transmission vehicles MSRP is \$1100 less than automatic transmissions, which results in a calculated wholesale value \$789 less than an automatic transmission value. It is double bookkeeping to take an additional \$810 off for the Buyback or \$135 for the Modification. Based on the current formula, the reduction in value for a 2015 Golf with a manual transmission would be $0.717 * 1100 + 810 = \$1599$ when compared to an automatic 2015 Golf with the same options. This is far more than the difference in value of \$810 defined for a 2014 Golf. Similarly, the reduction in value for the Modification in the current formula is $0.20 * 1100 + 135 = \$355$, far more than the \$135 for a 2014 Golf. Therefore, the correct option adjustment for manual transmission values in 2015 vehicles is \$0 since it is already accounted for when using MSRP as the basis for valuation.

3rd Generation Variable Component of Owner Restitution

Owners of 3rd Generation diesels have suffered increased losses compared to earlier generations and must wait longer for final restitution, but are offered the same compensation scheme as earlier generation vehicles. 3rd Generation vehicles were less than 1 year old on September 15, 2015, when annual vehicle depreciation is the greatest. This scandal will cause greater actual and relative (to September 18, 2015) value compared to earlier generation vehicles that have lower annual depreciation. In addition, 3rd Generation Vehicles must wait 25 months since the announcement before a final modification is even proposed, an additional 7-9 months compared to 1st and 2nd generation vehicles before all modifications are available and the final restitution payment is made. Just based off the additional time to achieve a final solution, the variable restitution could be 28% of the Vehicle Value (25 months/18 months * 20%). Weighting the additional time required for a solution and the additional loss in value is considered, I believe the appropriate variable restitution for 3rd Generation Vehicles should be 30% of the Vehicle Value.

In summary, I agree to the proposed settlement, subject to my recommendations for change. I will not make my decision on whether to accept the settlement and which option to take until after I see the final settlement. My decision will also take into account Volkswagen’s approach to resolving the corporate and personnel issues that lead to this malfeasance, which has not been satisfactory to date.

Charles Niederhaus
[REDACTED]

From: Matt Nielsen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 3:55:09 PM
Subject: Public comment VW diesel proposed settlement

The proposed settlement with VW is inadequate given VW's malfeasance. I've owned four VW TDI's including a 2011 VW golf. Unless full value of the purchase price, taxes, fees etc. is refunded I intend to opt-out of the class settlement and will sue individually. VW's unlawful enrichment, fraudulent advertising, and deliberate deception deserves the strictest possible penalty to prevent others contemplating the same. Consumer protection demands much much better than this settlement offers.

Sent from my iPhone

From: Neal
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 9:55:47 PM
Subject: fairness of volkswagen settlement

July 27, 2016

RE: Proposed Settlement of Volkswagen with the United States Government

FROM: Neal P. Nollette

TO:
Environmental Protection Agency (EPA)
Federal Trade Commission (FTC)
Department of Justice (DOJ)
Judge Breyer
Senator Deb Fischer
Senator Benjamin Sasse
Representative Adrian Smith

I am writing to express my concern about the 'proposed settlement of Volkswagen with the United States Government'.

I have read that in the proposed settlement owners of affected diesel Volkswagen cars can either receive a "free upgrade" for the exhaust system that would make the vehicle operate within allowed emissions standards or they can accept the "buy back" option whereby Volkswagen will buy back the vehicle at the "trade in value of the car as of August, 2015", plus an "incentive" amount to retain customer loyalty.

I have read many articles discussing the 'pros and cons' of this settlement. I have come to the conclusion that the proposed settlement is not fair to the environment nor to me as an owner of a Volkswagen 2010 Jetta TDI diesel car.

Since there is no "official upgrade" currently available to bring my car into allowable emissions standards and since there is no certainty that the upgrade will still allow current fuel efficiency and power, I would end up being a 'guinea

pig' for Volkswagen. And if the upgrade doesn't work—which most observers are saying it most likely will not—then I am left with a “super” sour lemon. Not only will I have lost fuel efficiency and power performance, I won't even be able to “Give-Away” my car for trade in. I will NOT be a guinea pig for Volkswagen—they have already duped me once!

I have been studying the proposed 'buy back' option. Since I purchased my car in September, 2010, I am among the Volkswagen customers that have been unwittingly polluting the atmosphere the longest at 40 times the emission levels that are permitted. According to the proposed buy back tables, I will be getting one of the lower payments where as someone who purchased their VW car only a year ago will be getting practically full price for their car. That seems so backwards! I have been unwittingly spewing 40 times the permitted Nitrous Oxide levels into the atmosphere for the last 6 years. During the 6 years that I have had my Jetta diesel, I have caused way more damage to the atmosphere than the person who has driven their car for barely a year. So it seems to me that the Volkswagen drivers who have been polluting the longest (i.e., the most) should be compensated more than the Volkswagen driver who has driven the least amount of years.

I have read that this proposed settlement is supposed to be designed 1) to make restitution to the owners of affected diesel cars for the out-right lie Volkswagen made regarding the 'cleanliness' of their emissions while still maintaining high fuel efficiency and power performance, 2) to pay damages for the harm done to the atmosphere, and 3) to use this case as a way to teach Volkswagen (and other possible subsequent companies) the lesson that you cannot lie to the public about your product all the while you are polluting the atmosphere at 40 times more than allowed.

I bought my diesel Jetta in good faith, trusting completely that my car not only got great mileage, but also met even the very strict emissions standards of California. I did not want to pump 40 times more pollution into the atmosphere than I was supposed to, yet I did! It seems to me that the only “fair” buy back option is that Volkswagen literally buys back my car for the price I paid when I bought it. This settlement case is a question of Volkswagen's honesty with their customers and the damage that was done to the atmosphere. It is NOT a question of what my car is worth now as a “trade in”!

If the settlement case is not adjusted to the full “buy back” price of what I paid for my diesel Jetta at the time I purchased it, then I propose this option for compensation for being lied to by Volkswagen and being an unwilling contributor

to the destruction of the atmosphere. In addition to the 'buy back' option as proposed in the current settlement, Volkswagen should compensate any affected customer the difference in the price of a new hybrid or electric car from their 'fund to develop hybrid and energy efficient technology' (which, according to the proposed settlement, they are mandated to do)—if the current affected Volkswagen customer chooses this option. This would be Volkswagen's first 'good faith' step to demonstrate their commitment to developing "real" energy efficient technology.

As the proposed settlement stands now, I do not believe it is fair to the customer nor the environment. If Volkswagen only has to buy back the affected diesel cars they have sold over the last 6 years at trade in value, with further deductions for the number of miles driven, etc., etc., they really are only having to pay for "half" of the damage that they have caused to customers and the environment. They are still benefiting from the damage and dishonesty they have done. (To illustrate this more graphically, consider this example. My teenage neighbor intentionally throws a baseball through my large living room window. This is captured on video and all of my neighbors on the block are outside and are eye witnesses to this action. I tell the teenager he has to pay to repair my window. He says, no, I will only pay for half of it. I don't know of any court in the world that would permit that to stand!)

If the current proposed settlement is officially accepted as is, then the duped Volkswagen customer has lost again! Then the message will be loud and clear that a German car manufacturer is more important than the citizens of this country and the air we breathe!

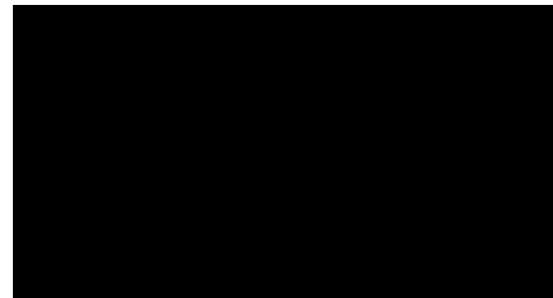
From: Woody, Carolyn (ENRD) on behalf of ENRD, WebContentMgr (ENRD)
To: Cooney, Nigel (ENRD); ENRD, WebContentMgr (ENRD)
Sent: 8/5/2016 2:34:33 PM
Subject: FW: fairness of proposed vw settlement

From: Neal Nollette [mailto: [REDACTED]]
Sent: Wednesday, July 27, 2016 9:23 PM
To: ENRD, WebContentMgr (ENRD) <WENRD@ENRD.USDOJ.GOV>
Subject: fairness of proposed vw settlement

July 27, 2016

RE: Proposed Settlement of Volkswagen with the United States Government

FROM: Neal P. Nollette



TO:
Environmental Protection Agency (EPA)
Federal Trade Commission (FTC)
Department of Justice (DOJ)
Judge Breyer
Senator Deb Fischer
Senator Benjamin Sasse
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I am writing to express my concern about the 'proposed settlement of Volkswagen with the United States Government'.

I have read that in the proposed settlement owners of affected diesel Volkswagen cars can either receive a "free upgrade" for the exhaust system that would make the vehicle operate within allowed emissions standards or they can accept the "buy back" option whereby Volkswagen will buy back the vehicle at the "trade in value of the car as of August, 2015", plus an "incentive" amount to retain customer loyalty.

I have read many articles discussing the 'pros and cons' of this settlement. I have come to the conclusion that the proposed settlement is not fair to the environment nor to me as an owner of a Volkswagen 2010 Jetta TDI diesel car.

Since there is no "official upgrade" currently available to bring my car into allowable emissions standards and since there is no certainty that the upgrade will still allow current fuel efficiency and power, I would end up being a 'guinea pig' for Volkswagen. And if the upgrade doesn't work—which most observers are saying it most likely will not—then I am left with a "super" sour lemon. Not only will I have lost fuel efficiency and power performance, I won't even be able to "Give-Away" my car for trade in. I will NOT be a guinea pig for Volkswagen—they have already duped me once!

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I have read that this proposed settlement is supposed to be designed 1) to make restitution to the owners of affected diesel cars for the out-right lie Volkswagen made regarding the 'cleanliness' of their emissions while still maintaining high fuel efficiency and power performance, 2) to pay damages for the harm done to the atmosphere, and 3) to use this case as a way to teach Volkswagen (and other possible subsequent companies) the lesson that you cannot lie to the public about your product all the while you are polluting the atmosphere at 40 times more than allowed.

I bought my diesel Jetta in good faith, trusting completely that my car not only got great mileage, but also met even the very strict emissions standards of [REDACTED] I did not want to pump 40 times more pollution into the atmosphere than I was supposed to, yet I did! It seems to me that the only "fair" buy back

option is that Volkswagen literally buys back my car for the price I paid when I bought it. This settlement case is a question of Volkswagen's honesty with their customers and the damage that was done to the atmosphere. It is NOT a question of what my car is worth now as a "trade in"!

If the settlement case is not adjusted to the full "buy back" price of what I paid for my diesel Jetta at the time I purchased it, then I propose this option for compensation for being lied to by Volkswagen and being an unwilling contributor to the destruction of the atmosphere. In addition to the 'buy back' option as proposed in the current settlement, Volkswagen should compensate any affected customer the difference in the price of a new hybrid or electric car from their 'fund to develop hybrid and energy efficient technology' (which, according to the proposed settlement, they are mandated to do)—if the current affected Volkswagen customer chooses this option. This would be Volkswagen's first 'good faith' step to demonstrate their commitment to developing "real" energy efficient technology.

As the proposed settlement stands now, I do not believe it is fair to the customer nor the environment. If Volkswagen only has to buy back the affected diesel cars they have sold over the last 6 years at trade in value, with further deductions for the number of miles driven, etc., etc., they really are only having to pay for "half" of the damage that they have caused to customers and the environment. They are still benefiting from the damage and dishonesty they have done. (To illustrate this more graphically, consider this example. My teenage neighbor intentionally throws a baseball through my large living room window. This is captured on video and all of my neighbors on the block are outside and are eye witnesses to this action. I tell the teenager he has to pay to repair my window. He says, no, I will only pay for half of it. I don't know of any court in the world that would permit that to stand!)

If the current proposed settlement is officially accepted as is, then the duped Volkswagen customer has lost again! Then the message will be loud and clear that a German car manufacturer is more important than the citizens of this country and the air we breathe!

From: Dave's Automotive
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 2:54:18 PM
Subject: PUBLIC COMMENT FOR VOLKSWAGON SETTLEMENT

Good Day.

I am writing you to discuss the potential agreement with regards to the Volkswagen Emissions Scandal.

I purchased my 2012 VW Jetta TDI in December of 2011. I researched a lot of cars, before my purchase and determined that the Jetta would be best for me. I was a single mom, driving a lot and knew that the diesel engine would last for a long time so I wouldn't have to worry about buying another car for several years. The gas mileage that it was rated for was perfect for my long commutes. I have known other TDI's to get over 300,000 miles on them with relatively no major problems. I made my purchase with the intent of driving this car for years to come.

I chose the Jetta and paid more for the TDI option. I believe that was approximately a \$5000 option. I feel cheated now because not only has the value of my Jetta dropped significantly due to the scandal, I will now have to purchase a new car that will not get the kind of fuel mileage my Jetta gets. I will have to register a new car in the State of Colorado, which for the first few years, licensing fees and taxes on a new vehicle depending on the purchase price average \$500 plus. The licensing for my Jetta is finally reasonable at a cost of approximately \$200.00 a year.

I also feel the settlement is unfair due to the mileage limitations (1042 miles a month) as well as the Trade in Value assigned to my car. I am not trading my vehicle in. I am being forced to return my vehicle to Volkswagen due to their dishonesty. I feel that VW should be purchasing my vehicle from me at the full retail market value price based on the value of the car from September 2015 before the scandal broke. The purchase price should also include necessary taxes.


People do not buy a diesel engine vehicle for short inner city driving. I bought my Jetta knowing that I was going to put a lot of miles on it. It was going to last me for many many years to come, so having high mileage was not going to be an issue for me because by the time I was ready to purchase a new car, the value of my car regardless of mileage would have plateaued and it wouldn't be an issue. The mileage deductions are unfair.

I hope that you take my comments under advisement. I know that there are many other people that feel as I do. I am saddened that I will not have my Jetta after this lawsuit is settled. I will not be purchasing another Volkswagen in the near future. Instead of having my vehicle paid off in the next year, I will once again be saddled with another car payment, another few years of high costs for licensing, taxes and fees. The compensation offered in the settlement just doesn't seem fair. I am not being made whole.

Thank you for your consideration and taking time to read my comments.

Sincerely,

Becky Novotne
2012 VW Jetta



From: Jim Olsen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 10:48:45 PM
Subject: VW Settlement - Repair Concerns

I've loved driving Diesels since 1980. My 2009 Jetta has served me well. Since neither VW or other manufacturer is making passenger diesels, I am thinking of having mine repaired. Besides the normal concerns about performance and mpg, I am VERY concerned that replacement parts will not be mass produced and therefore unavailable in the future or be extremely expensive to replace if needed. The 48,000 mile warranty is insufficient to address this concern. I request an unlimited warranty for these parts. Further, as I understand, the 2009 emissions are one piece. Such a repair will require replacing the emissions from the exhaust manifold, something I'm not sure would be durable.

Although the buyback amount is above market value, I will not take a buyback, unless it is a replacement for another TDI. I did not create this Emissions scandal and am quite angry that VW has withdrawn future TDI sales. The court should do all it can to ensure it has not 'removed' a vehicle from the marketplace. I consider that to be government overreach. This settlement leaves me unable to purchase a diesel passenger car in the future.

Jim Olsen



From: julie o
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 10:35:06 PM
Subject: VW Diesel- Point of view from a cheated lessee

To whom it may concern,

I would like you to hear my point of view about the proposed VW settlement as it pertains to a current lessee.

After months of research, in September of 2014 I finally decided to lease a new 2014 VW Jetta TDI. Yes, it was considerably more expensive than other cars in it's class, but it was incredibly fuel efficient, powerful, and environmentally 'clean'.

Because I was a single mother working a retail job, I was looking at the long-term investment. I couldn't afford to buy this \$25,000 car, because I could neither qualify for nor afford the payments. Leasing offered me much smaller payments, and all but guaranteed that I would be able to afford to buy this car at the end of the lease, when the estimated residual value was down to \$15,567. So I put \$3,349 down and made \$246/month lease payments, with the intent of buying this car at the end of my lease. Two years into the lease, I have paid a total of \$8,761 between the down payment and the monthly payments. I have a whopping 14,000 miles on this car and am now being told that I either a) get to turn it back in to VW without a lease termination fee or (b) drive it until the end of the lease & then turn it back in. I have essentially just paid \$8,761 to rent a car for two years.

First of all, I don't want to terminate my lease. What I want is to keep the car I picked out with the intent of driving it for the next 20 years. I had not intended to throw money away by 'renting' this car for 3 years & then giving it back.

Secondly, will I even have the option of buying my leased car?? If so, at what price? If the residual value of the car according to my lease contract in 2014 was stated to be \$15,567, the car is certainly not worth that now.

Thirdly, if I'm forced to go through this whole lease-then-buy situation, I'm again looking at another down payment, if I'm even lucky enough to qualify for another round of credit applications.

So I'm angry. I've just made 2 years of payments towards a car that it seems will never actually be mine, as was my intent from day one. I wasn't in a position to throw away money like that, yet that's exactly what just happened.

I don't see where this proposed settlement comes even a little bit close to being fair to those of us lessees who thought we were making an educated, environmentally & financially sound decision. The \$3,000ish that this settlement proposes to lessees doesn't even cover the down payment. Again, I have paid \$8,761 towards this car! Now I am left to figure out how I am going to manage to do this again. I feel betrayed, used, cheated.

Sincerely,

Julie Olsvik



From: Maureen O'Neill
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 2:11:09 PM
Subject: A BETTER VW Settlement

I have a 2010 VW Jetta that is one with the emissions problems.

I have read about the proposed settlement and want to say that I do not think it is enough to only go back to September 2015 when determining the buy back value/price.

I specifically bought the car based on the claims of VW for a clean diesel and the fuel efficiency. I have a loan with VW Credit and have paid on that for years based on those false claims.

I believe that owners should be compensated to the FULL PURCHASE PRICE we all paid for our vehicles, plus an additional amount because we were all blatantly lied to.

Only going back to September 2015 does not make me whole in this situation and I see that as VW avoiding their full responsibility to people who trusted them.

Maureen O'Neill

From: Kim Onofrey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 10:41:35 PM
Subject: VW TDI Recall

I was told this was the email address to make public comments on the VW TDI recall.

Initial estimates from the charts in the court documents were valuing my 2012 TDI Jetta at just over \$20,000 with the premium options that it currently has. After filling out the claim information on the website, that value dropped nearly \$7,000, presumably for mileage, since the car is still in pristine condition. The miles aren't even that high at 75k, when the average for that age is 62k.

That adjusted value for the car puts it well below what is owed on it. So after "buying back" my TDI, they take the rest of the difference from the "compensation" to pay off the outstanding loan, and then I end up with maybe \$2,400 before the government taxes me, when I already got taxed on the front end of buying the car. Volkswagen needs to honor the initial values in the charts from the court documents without deducting thousands of dollars over a simple odometer reading.

\$2,400 is not enough incentive to get my car off of the road, and waiting around for the compensation with a modification that will likely nullify all of the reasons I bought the car in the first place isn't enough incentive to have it modified to comply with the recall at all. Plenty of owners are encountering the same scenario I have, some of them not even being able to pay off the loans with both the buyback and compensation together. If this is the case for a large number of TDI owners, the number of owners complying with the recall at all will be low. This settlement does not work to appease the owners or to make anything right with them. It is a slap in the face after being deceived in the first place. We are supposed to just hand over the keys for next to nothing after losing thousands of dollars in purchasing, financing, and maintenance of these premium cars.

Sincerely,
Kimberly Onofrey

From: Daniel O'Steen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 1:20:07 PM
Subject: re: Volkswagen ``Clean Diesel'' Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

To Whom it may concern,

I believe that clean retail value and not clean trade value should be used for compensating owners. We are not trading in the vehicle but rather are selling it back as a retail transaction. There is precedent (e.g. Toyota's buyback of Tacoma trucks) with relation to using retail values instead of trade in values.

Thank you for considering my comment.

From: Mary O'Steen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 12:04:17 PM
Subject: VW Settlement

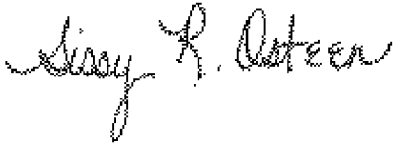
I think its unfair for VW owners to only get the trade in values of their vehicles, I believe they should receive the fair market retail value of their vehicles as of September 2015. There is a big difference between the 2 values.

Thanks
Mary OSteen

From: Osteen, Dr. Sissy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 5:26:23 PM
Subject: VW case public comment

I do not see in the materials presented for the case, where expenses like taxes and title on the cars, and extended warranties sold by Volkswagen have been addressed. Another area of concern is the fact that many individuals received \$500 in a good will debit card to be used at the service department of the dealership. I would imagine that many people have not used those because of the chance of buyback. Have those expenses been considered?

Thank you,

A handwritten signature in cursive script that reads "Sissy R. Osteen".

Sissy R. Osteen, Ph.D. CFP®

From: Michal Ostrowski
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 11:24:52 AM
Subject: VW Diesel Court Settlement Comments

Dear Sir/Madam,

I am writing to submit my concerns regarding the proposed Volkswagen Diesel Emissions Settlement. I am an eligible owner, having bought a 2010 VW Jetta TDI in 2010.

My particular concern is that the Buyback option is based on the notion of a "Trade-In" value, and in reality affected owners are not simply selling their affected vehicles. Rather, affected owners are looking to replace their vehicles.

The fact that affected owners are likely to be looking to replace their vehicles rather than simply sell them means that in most circumstances they would trade-in their vehicles with the auto dealer of their choice. The nature of this transaction is such that in most states (certainly in my state of Texas), the sales tax due on the transaction would be on the net difference in price between the trade-in value and the price of the new vehicle being purchased.

In my case, my affected vehicle has a "buyback" value of approximately \$12,000. If I follow through on the buyback option as proposed, and buy a new car subsequently, it will cost me an extra \$960 in sales tax as compared to me being able to trade-in my existing car at a value of \$12,000.

That being said, the reality of the used-car market is that "trade-in" values are lower than they would otherwise be in part because of the ability to lower the sales-tax effect on the overall transaction.

I ask for consideration that the proposed settlement, or its implementation, take into account the effect of trade-in transactions on sales tax, and allow buybacks to be structured so as to allow affected owners to not lose this value.

—
Michal Ostrowski

[Redacted]

[Redacted]

[Redacted]

From: Russ Parker
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 3:55:35 PM
Subject: VW settlement comments

As the owner of a 2010 VW TDI, I am disappointed that the amount of the payout (the amount separate from the buyback amount) is dependent on the age of the car. This should be an equal amount for all owners, as all of us were sold the same "Clean Diesel" lie. If anything, owners of older cars should receive a larger payout, because they will likely incur greater expense replacing their cars.

Regarding the value of the buyback, the car's value is justifiably adjusted for optional equipment, as this was a factor in the original price of the car, but it should not be adjusted for mileage. Since it is unlikely that VW will be allowed to resell the cars, especially the older ones, why should mileage matter?

Thank you for providing an opportunity for feedback.

Best regards,
Russ Parker

From: Jenny Paul
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 8:28:23 AM
Subject: Comment on the Volkswagen proposed settlement

Hello--

I have a 2015 VW Golf Sportwagen TDi (VIN [REDACTED]) and am a part of the class currently suing Volkswagen for the 2 L TDi emissions issue.

While I am very disappointed in the emissions controls manipulation and also in the way VW has handled its customers, I also believe the settlement numbers are fair. At this point in the whole process, I just want to be able to turn in my car and move on. I vote for accepting the settlement as is, so that customers can have some closure.

Thank you for listening.

Jenny Paul
[REDACTED]

From: Mark Penticuff
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 10:18:02 AM
Subject: VW Jetta TDI owner concerns

As a 2011 VW Jetta TDI owner, I am concerned about the settlement details that were recently released. The settlement agreed to use the trade-in value of my car, which is considerably less than what I or anyone else paid for their vehicle. As a consumer, the value used to determine my restitution should not be based on the dealer's value, but mine. At a minimum the standard should be the private party value. Most people probably paid closer to dealer retail, so to be fair to the consumer (which is the purpose of this settlement) the beginning value should be somewhere in between private party and dealer retail. Then multiply by 20% and go through the rest of the calculations.

One thing that is rarely mentioned in any of the articles or comments about this situation is that consumers now have to spend time and resources to find another car. For many, this is the primary source of transportation and an immediate replacement is required. Finding that right car is hard enough on its own, but now it has to be perfectly coordinated with the buyout. This takes a lot of planning and stress. Not to mention the probability of lost wages due to having to take time off work to get this all worked out. I have already found suitable replacements, but I cannot even start to think about purchasing them because I have to wait until the fall some time. At least 3 really good deals have come and gone while I wait and the probability of a good deal for the car I want happening in the time frame determined by the settlement is pretty low.

For these reasons, this is not just a simple "replace my car's value" and I will be fairly compensated. This is a major inconvenience to each and every consumer. To arrive at a settlement that devalues my car and gives VW the ability to take away nearly all restitution and simply replace my car is not my idea of a good settlement.

This needs to be addressed and changed. I have not talked to or read about any customer who is satisfied with the value being based on a trade in. It doesn't make any sense and doesn't give the consumer the true restitution.

Thank you for your consideration,

Mark Penticuff


Please respond to this email so that I know it has been received and read. Thank you.

Sent from [Mail](#) for Windows 10

From: Jorge Perez
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/7/2016 8:32:36 PM
Subject: Puerto Rico Owners

I have a question I live in Puerto Rico and have a lease with a local bank because in Puerto Rico At the moment of the sale VW credit does not have business and if i have a lease with another bank why we dont enter on the settlement no matter what the vehicle still contaminating the enviroment .

Sent from my iPhone

From: Anca Periet
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 10:50:25 PM
Subject: VW Settlement

Please note that the settlement does not clearly specify that the owners of VW bought in US and registered in Canada are eligible.

I purchased my 2014 Passat in Arizona, moved to Canada and registered in Canada. All our warranties are covered by US and I received the goodwill package from US.

Anca Perieteanu

From: DOROTHY PERVANGER
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 12:27:20 PM
Subject: VW Fraud Settlement comments from an Owner

FIRST, The actual fraud was perpetrated on us at the time we purchased the car.

THE BASIS (for both the fraud payment and the buyback amount) SHOULD BE THE PURCHASE PRICE OF THE VEHICLE.

It is **INCORRECT** to use the September 15, 2015 NADA value as the basis for the fraud portion of the settlement.

We purchased this vehicle on its purchase date because of the marketing about clean diesel etc. We were “lied to” then to get us to purchase that vehicle on that date – not on September 15, 2015.

The fraud portion of the settlement should NOT be subject to any mileage reduction and should be based on the purchase price. It is not related to any mileage – *it is just plain fraud!*

Consumers have a right under the law to receive just compensation for that fraud without reduction.

SECOND, We object to the use of the NADA value instead of the KBB number. The NADA number grossly benefits Volkswagen and grossly HURTS the consumer. Volkswagen went “shopping for the lowest possible value” at the expense of the consumer against whom they committed this fraud.

By using the NADA values, the Court is unfairly reducing the settlement amount for the consumer. The difference for us is about \$5,000 - less than the VW amount compared to the” \$21,600 value” provided to us by Hagens Berman Sobol Shapiro LLP (see insert below from the email we received from this firm). Of course this \$21,600 value does not have any of VW’s “adjustments” but there is still a substantial difference.

WE BELIEVE VW SHOULD HAVE BEEN REQUIRED TO BUY BACK OUR VEHICLE AT ITS ORIGINAL PURCHASE PRICE.

SINCE THAT IS NOT THE CASE, It would have been more fair to both sides

(including the guilty Volkswagen side) if the NADA and KBB values at September 15, 2015 were averaged – was this even considered or was Volkswagen just given a pass on this at the consumer/plaintiff’s expense?

We consumers/plaintiffs are not being made whole or anything near it because of how Volkswagen is being allowed to shop for the cheapest value of our vehicles AT September 15, 2015 (since they are basically worthless now). Plaintiffs are just stuck with the financial pain of facing the automobile market and having a negative personal financial impact. VW really should be buying the vehicles back at the original purchase price to the original owner because the fraud started then. But we know that is not going to happen so why is Volkswagen being allowed to continue cheating the VW consumer with the blessing of the Court system?

Volkswagen seems to think that the fraud payment mitigates the negative financial pain – well it doesn’t and it shouldn’t since it is supposed to be a payment to the consumer for the fraud they perpetrated on us.

THIRD, we object to the lack of transparency in the settlement claim information being provided by Volkswagen on its claim web site.

When I completed the claim form, it came up with a single number for the buyback portion of our automobile – hiding any adjustments to the “NADA” number by Volkswagen. Why isn’t VW being required to state the NADA value and show all adjustments to that number so that consumers can be aware of just what elements are included in that number. This specific information is readily available in Volkswagen’s calculation process – VW came up with individual numbers for each vehicle and we consumers have a right to know just what those numbers are BEFORE the Court agrees to VOLKSWAGEN’S CALCULATIONS.

Unless we consumers (and the general public at large) see those actual individual numbers, we cannot be sure that another fraud is NOT being perpetrated on us!

FOURTH, it appears that the consumer was seriously under-represented in this case since it appears that many, many concessions were made to Volkswagen at the expense of the plaintiffs in this case for this set of automobiles.

The attorneys selected to represent the class-action plaintiffs apparently have given short shrift to we plaintiffs. The law requires fair and just treatment of the

plaintiffs (consumers). **WHAT HAPPENED?**

FIFTH, I believe the Court was wrong to put a gag order on the details of the settlement – subjecting all plaintiffs to the vagaries of the media and all the leaks – most of which were incorrect, confusing, and worrisome. We plaintiffs should have been advised of what the settlement proposals were since we are the victims and it seems that our attorneys were not paying attention. This gag order made everything worse and more painful and created unnecessary anxiety.

Respectfully submitted,

Dorothy Pervanger
Co-owner of 2012 Passat

From email for above note on vehicle value at 9/15/16:

September 15, 2015 value of our 2012 Passat?" (for which they had the VIN)

The approximate September 15, 2015 value of your vehicle is \$21,600.

Shelby Smith | Hagens Berman Sobol Shapiro LLP | Direct: [REDACTED]

Shelby Smith [REDACTED]

From: DOROTHY PERVANGER
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]; [REDACTED]
Sent: 8/3/2016 12:23:03 PM
Subject: VW Fraud Settlement comments from an Owner

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=====

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April 06, 2016

Shelby Smith 

The approximate September 15, 2015 value of your vehicle is \$21,600.

Shelby Smith | Hagens Berman Sobol LLP |

=====

From: DOROTHY PERVANGER
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]; [REDACTED]; [REDACTED]
Sent: 8/3/2016 12:15:42 PM
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Shelby Smith | Hagens Berman Sobol Shapiro LLP |
Direct: [REDACTED]

Shelby Smith [REDACTED]

From: Raechel Peters
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 12:37:53 AM
Subject: Response to VE settlement

To whom it may concern,

I have reviewed the settlement offer from VW and I am not sure why first time owners are not being compensated fairly. I bought my Sportwagen TDI brand new after months of looking at Hybrids. I was trying that it is the new clean car to drive for long distance drivers.

1) Why am I am I being penalized for mileage when the car was built for fuel economy?

2) Sticker price on my 2011 Jetta Sportwagen vehicle was \$29,415. I paid \$27,900. I have owned this car brand new since fall 2010 and I am only being offered 13,000 for a car I paid off with taxes and interest?

3) A first time owner is only receiving a \$5100.00 "I am sorry we lied about everything that had to do with this long term expensive investment you made"

Total of settlement by VW = \$19,000

after I paid over \$30,000 in interest taxes ect..

4) I thought this was safe for the earth we live in and the air not only that I breathe but my young child? What about all of the problems that can occur to children sitting in a running car in the winter while its warming up?

The settlement offer is a slap in the face for the first time owners of these TDI's that did months of research for a safe and fuel efficient car that now destroys our earth And our children's health. I would not consider any less then sticker value for my 2011 Sportwagen. Years of commuting back and forth long distance to just be told by VW "You are being penalized for driving this car to the full potential we told you it was worth" Not fair in the least. I really did not want to get involved in a separate lawsuit against VW, I thought they would take care of the consumer that took care of them for years. I was wrong. This is not a fair settlement for first time owners who drove the car to its falsely advertised potential.

Sincerely

Raechel Peters

Sent from my iPhone

From: Teresa Phelan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 7:28:39 PM
Subject: Comment from Owner

I am the owner of a 2013 Passat TDI SEL. For the most part, I am satisfied with the terms of the settlement. There is one aspect that I think places an unfair burden on the owners: I think that the buyback price should freeze the mileage as well as the value to pre-scandal date.

I know that I am not alone in being extremely eager to get rid of a car that does not meet EPA standards when I purchased the car for precisely the opposite reason. I have felt guilty about driving the car from the moment the scandal broke. For me, that occurred two days before my husband and I left on a six week "blue highway" trip that we had been planning for years through several National Parks. I was keenly aware of the additional pollutants that my VW was contributing to the environment and it made me uncomfortable. My husband and I looked very closely at trading our car in before the trip but the value was just not satisfactory.

I realize that pre-scandal mileage would be difficult to prove but I'm sure the court could come up with some way of estimating average monthly mileage of the car and roll it back the months that we have had to wait. It looks like it will be close to one year. That is time that I did not want to be driving my car but could not afford the loss to trade it in.

Thank you for your consideration.

Teresa Phelan

From: David Pichowsky
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 9:26:01 AM
Subject: VW TDI Settlement

If this were a simple case of a single buyer being defrauded by a manufacturer, one might reasonably assume that full restitution plus damages would be paid.

I see no reason that that should nit also be the case here.

David Pichowsky
2014 Jetta TDI Owner

Sent from my iPhone

From: Matt Pierce
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/7/2016 12:23:36 AM
Subject: Buyback

Horrible deal. Clean trade value when I could have sold for more. [REDACTED]
[REDACTED] Horrible.

From: Thaddeus Pilewski
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 10:39:34 AM
Subject: Proposed Volkswagen Diesel Settlement

Dear Sir or Madam,

In the clear majority of cases, it would be more appropriate to use the NADA 'Retail' instead of the 'Trade In' when determining the proper value for a vehicle for the owner.

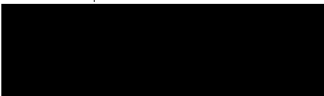
The proposed settlement for the Volkswagen "Clean Diesel" MDL - 15-MD-2672-CRB (JSC) assigns a vehicle's value based on the last published NADA Trade In amount, and that number is used as the basis for both the buy-back and the owner restitution. According to NADA the 'Trade In' value is lower than the 'Retail' value because even a Clean trade in "vehicle will need minimal reconditioning to be made ready for resale", and presumably the dealer will have to go through some paperwork to make the car ready for sale.

For owners that want to retain their vehicle, dealers need to take no action with regards to reconditioning or paperwork to prepare the car for resale, so the value should be the Retail value. In the very likely case that an approved fix is not discovered, Volkswagen must scrap the vehicles that are bought back from consumers, so the extra work involved in getting the vehicle ready for resale does not apply to the buyback either.

Even if a fix is approved, the 'Trade In' amount is inappropriate for purchasers of more recent vehicles. Individuals that intend to have a new car for only a few years are more likely to lease, that is their entire selling point. Monetarily, it does not make sense to trade in a vehicle just a few years after purchasing because the percentage depreciation outweighs the percentage of payments made on the loan. Generally, an owner will only trade in a recently purchased vehicle if they decide they want a newer car (in which case they should have leased) or if they decide they don't really like the car that much (in which case they would have traded or sold it before the scandal became public). Instead of assuming an error by the purchaser, it should be assumed that all buyers intended to retain the vehicle.

Whether it be repair of defect or the scrap yard, these vehicles are already "prepped" and conditioned for their next destination; therefore they should be valued based on the 'Retail' listing instead of assuming an error by the purchaser of the vehicle.

Sincerely,
Thaddeus Pilewski
MSG, USA




From: Mike Pilla
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 11:20:57 AM
Subject: After Market Compensation

Hello,

I purchased my new VW Beetle in August 2015. To protect the front from road chips and dings, I had a certified installer apply a clear plastic film to the front of the car and to the back of the side mirrors. This is a 3M product and the cost for the material and labor was \$600. How will I be compensated for this expense. It is expected to protect the car for years to come and cannot be reused.

Thank you.
Mike Pilla

Sent from my iPhone


Socialism...a great idea 'til you run out of other people's money.

From: Julie Celeste
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 11:25:40 PM
Subject: Volkswagen settlement

I feel that Volkswagen needs to include a long extended warranty to those who choose to have their car fixed. There won't be any history of reliability or known future effects on the engine.

Also, I think that the income tax consequence should be part of the discussion of the monetary settlement as I believe that most do not realize that there is a tax burden. The decrease in the money received, due to the tax burden may effect the decision of whether to buy or to fix.

Julie Pimentel

From: Greg Plasters
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 12:24:29 PM
Subject: VW Diesel Settlement

To whom it may concern,

Thank you for the opportunity to provide my comments;

The overall settlement process and payment to individuals who purchased a VW diesel automobile appears to be somewhat reasonable for the whole. On an individual basis some will be made much more whole than others. In my specific case, I was expecting to have this vehicle for several more years, then purchase the last car I will ever buy, based on my life expectancy, historical family health etc... As I understand the settlement it address only the grief and aggravation of having to purchase the replacement vehicle and not an additional vehicle latter in life. If I had a solution for this issue I would present it but I do not at this time. What I do feel is inappropriate in the settlement is a reduction in value for mileage. One of the selling points for purchasing a VW diesel was the low cost of maintenance on a diesel engine and that you could run it for miles and not incur the costs of maintenance required for a gasoline engine. Part of my decision to purchase a diesel was advertised lower costs (maintenance/fuel) for the amount of miles I drive. To now penalize me for taking into account the number of miles I drive by reducing the value of the vehicle in the NADA guide is very upsetting.

Thank you for your consideration

Gregory Plasters


From: Megan Pleva
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/23/2016 1:15:55 PM
Subject: comments regarding VW settlement from '09 owner

To Whom it May Concern,

When news broke of the settlement, I was glad. Not knowing is always worse than knowing. At first, I was pleased. At least everyone was getting compensated for something, even though it isn't much. However, the longer I thought about it, the more angry I became.

I bought my 2009 Jetta TDI new in 2009, when I was in the military. I was excited about the "clean" technology and the fuel economy. It was my first new car and cost me \$26,000. With inflation, that would be just shy of \$30,000 today, which is not the most recent cost of a TDI of the same style. However, according to the compensation, I may only receive just under \$10,000 if I take the buy back option. If I choose to have my car "fixed", it may still not meet EPA standards. The modification may not even be an option for me, since I currently live in CA.

I realize that this seems fair, at first glance, because these aren't values that TDI owners would receive if we tried to sell our cars now, but I wasn't planning on selling my car, ever in fact. I've taken her on many road trips, and driven her quite a lot. I like my car.

My Jetta TDI has been paid off for 5 years, since July of 2011. I'm a recent college graduate, so I really can't afford a car payment right now. How is approximately \$10,000 really compensating me in order to buy a new car? That new car will end up costing me more than just the payments I'll have to pay. The fuel economy won't be as good, and I won't have the same features that I do now unless I pay a premium.

The newest TDIs cost much less than mine did, partially because TDIs became so popular, so why are the older owners being punished for purchasing the more expensive vehicles and getting the least amount of compensation? Some of the newer owners can go out and purchase new cars with their compensation and still have money left over. While I, and others like me, will be dealing with car payments that we never thought we would have to deal with again.

While I can appreciate that Fair Market Value keeps everything easy when it comes to the math, it bothers me that people like me who bought 2009s and 2010s will receive so much less with much more inconvenience.

If I have to buy a new car, even a used one at this point, I would like something that has equivalent features to it, and I'd like for VW to pay for that, since I fully paid for my car. I fulfilled my financial obligation to VW when I purchased my car, but they did not fulfill their contractual obligation to me by providing me with a "clean" vehicle that promised the milage they did. That is what I paid a premium for in 2009. I'm not asking for a \$150,000 sports car, but VW should be open to reasonable solutions for those of us that can't afford to have new car payments. If I found a car, like a Subaru Forester or Outback, with the same features I currently have, with less of an environmental impact, even used, I think VW should pay for that car instead of me. I paid for my car in 2009.

I don't know if other owners feel the same way, but I think VW is getting the better end of this bargain than the consumers. They purposely lied to us and took our money doing it. They made us complicit every time we got behind the wheel or advertised their products to our friends and family with our rave reviews of our cars.

I hope I'm not the only owner with these concerns. Please consider this when finalizing the settlement.

Thank you,
Megan Pleva

From: Miles Poindexter
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:52:47 AM
Subject: dealers need to allow customers to pre-order a car before buyback

Hi,
Thank you for the opportunity to comment on the VW TDI settlement.

Our dilemma:

Our 2009 JSW is our ONLY car for a family of 5. We use it daily to take kids to school and to camp. We have a manual transmission wagon. We like this for the simplicity and the cost savings. As you know, this is a very difficult model type to find on dealer lots in the USA!

Our decision:

Because of various reasons, such as feeling cheated about this not being a low-emissions vehicle (after we chose it OVER a Prius!), and too many major (expensive) repairs, we are opting for the buyback.

Our suggestions:

1. Allow the dealers to take off 20%-25% off of MSRP on ANY 2017 VWs, specifically for TDI class-action victims, to provide an incentive for people doing a buyback to stay with the VW brand.
2. Allow dealers to pre-order the new vehicle for customers affected by the TDI class-action settlement. This should start happening ASAP, so that by the time the customer can bring in the car for the buyback, the car they want is on the lot already. For example, this should allow me to visit my dealer in August/Sept, sign a commitment form for the buyback, and spec out/order my replacement VW. The car would then be at the dealer hopefully by Oct/Nov when the dealer can officially process the buyback.
3. Reduce the mileage penalty OR allow customers to add in reimbursement for past repairs done if they were over \$1000, to offset the mileage penalty.

Thank you,

miles
[REDACTED]

Model: Jetta Sportwagen Manual - Generation 1

Year: 2009
[REDACTED]

Odometer: 86K approx.

This car is in my wife's name [REDACTED]

--
Miles Poindexter
Self-Propelled City
<http://selfpropelledcity.com>

From: Scott Pooch
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 2:07:34 PM
Subject: VW Emissions Open Comment

To Whom it May Concern:

This will be a somewhat unprofessional and casual email concerning the mileage accrued since September 2015 for the TDI's affected in the buyback.

TDI owners were "granted" approximately 1043 miles per month in order to determine the value of their vehicles. In my experience, most TDI owners purchased the vehicles for the sole reason of being an economical commuter. As such, most owners commute MUCH farther than the average person. Speaking for myself, I average about 2300 miles per month. That value is actually much reduced from what it was, say, even 5 years ago. I purchased my vehicle brand new in May 2013 and currently have just over 86000 miles on my 2013 Jetta TDI. As of September 9, 2015, my vehicle had 62900 miles on it, according to my records. I know many owners who drive much more than that.

As you can see, the estimated mileage for these vehicles will be grossly inaccurate for most TDI owners and I urge you to consider raising the monthly mileage allowance to remedy that.

Thank you for your time,
Scott Pooch

From: Thomas A. Porter
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 4:11:18 PM
Subject: VW Settlement comment from VW Owner

I own a 2010 VW Golf TDI 4 Door (VIN: [REDACTED]). Since it was announced that for every day I drive the car I add 20 to 40 + days of pollution, it has been parked unless there is no alternative. I was averaging 14,000 miles a year. I have added 3,000 since the announcement.

In the five years I have driven my "clean diesel" I have added 100 - 200 years worth of pollution to the environment.

Tell VW thanks for that, on my behalf.

The day the news broke I checked the value of my car -- it was about \$14750. I of course checked private party sale value -- I am 50+ years old and have NEVER traded in a car because the value is always such a rip off.

The settlement is offering several thousands less for the car since it is based on trade in and not private party resale value. I object to the valuation for the following reasons:

- 1) I would NEVER have traded in this car, because as a diesel (before the scam became public) the value was so high on the private market and the limited availability made them easy to sell.
- 2) I was expecting a full - refund. This was intentional fraud -- not an accident, not incidental, not an "oops" moment: This was intentional fraud that led me to buy a car that has pretty much been parked for the last months. I know it is legal to drive a car that pollutes 20-40X the legal limit, but it is assuredly not right to do so. If a company sells me a milk carton full of paint, I would expect a full refund. They sold me a clean diesel car -- and they should take it back now that we now it is not clean and give me my money back. No amount of money will EVER dig me out of the 100-200 year carbon footprint they led me to stamp on the planet.
- 3) Once you took full refunds off the table why on earth would the value be based on trade in and not private party sale value? That assumes 100% of the people who owned the cars would have traded the cars in. That is WRONG.
- 4) Even if you assume 50% would have traded in to a dealer and 50% private party sale, that would lead you to average private party value and trade in value -- not limit it to trade in value.
- 5) I have ignored the multiple opt-out mailing I've received, but the trade-in value is just a little snarky, a little over-reach. VW is now the largest auto maker in the world --and they got there using the fraudulently obtained money from these vehicle sales. Allowing them to shave 25% - 40% off each vehicle by limiting value to trade-in is leading me to opt-out and just sue for the full vehicle value, plus whatever punitive damages I can get for the massive fraud. It is one of those things that sounds OK("they are offering the value on the day of the announcement..."), but that falls apart once you learn the details (they negotiated from full-refund to the least possible verifiable value -- dealer trade in.)
- 6) They should give me a full refund. Barring that, they should pay me what I would have sold the car for the day of the fraud announcement -- the full private party sale price. Anything else is a joke.

Thank you.

Thomas A. Porter
[REDACTED]

From: Liam Powell
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 3:32:35 PM
Subject: VW Settlement Offer

Good Afternoon,

I am the owner of a 2013 Jetta TDI and am part of the affected class in this matter. I would like to make a few comments about the settlement proposal currently on the table.

I am very please with the structure but feel that the trade in value used to determine the buyback price is unfair. I will not be trading this vehicle in. I will be selling it back to a fraudulent manufacturer. I do not expect MSRP for the vehicle but I do expect retail value. Retail value is what I could have expected if I would have sold it prior to the scandal and it is what I would get now if I decided to sell it, granted at a markedly reduced price; however this is a direct result of VW's actions not mine. The use of trade in value is letting VW off the hook and paying for it on the backs of the victims.

I will share my situation to give you an idea. I currently owe \$22,000 on the VW in my garage. VW will buy it back for about the same amount that I owe. Well now I do not have a car or a loan but I will need to come up with cash out of my pocket to replace the vehicle. I don't think it is unreasonable to expect I would be able to purchase a similar car with a similar amount owed as part of this settlement without having to use my own resources. As it stands I will be further harmed by having to pull my resources from what I would prefer to use them on to buy a new car as a direct result of fraud by VW.

I realize this is a structured settlement designed to work for the maximum amount of people but it simply isn't enough money. Using retail value+20%+\$3,000 puts me right in the ball park of what I would feel is a fair settlement. I would not gain from it but I would not lose either.

Thank you for the opportunity to comment and I hope you take my position into consideration.

Respectfully,
Liam Powell

From: Jeff Preis
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 1:33:35 PM
Subject: VW Settlement comment

To whom it may concern,

I am commenting only because I feel the value of my car has been under stated by the trade in value used by Volkswagen. I really think that Volkswagen should have to buy back the VW diesels at retail or private party cost. They are purchasing the vehicle from us. They are not taking a trade in for the vehicles. So, using the trade in value seems like Volkswagen is getting away with underestimating the price of the cars and are limiting the penalty that they should incur.

Thanks you for your time,
Jeff Preis

From: Eric Price
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/30/2016 12:02:50 PM
Subject: The TDI Assumption

Hello,

My wife and I decided to buy a 2013 Audi A3 TDI for several reasons. First since my wife drives a lot for work we decided we needed a car that got 40+ mpg. We are also very environmentally conscious and wanted a car that was Eco-friendly. The Audi A3 TDI "Clean Diesel" we assumed was everything we wanted in a car. We have used this car more than our other cars thinking it was better for the environment. Mostly for work we put over 20,000 miles a year on this car.

After the news of the scandal last September we were shocked and felt cheated and lied to. We wanted to sell our car but was unable to in California. We were forced to continue to drive this car as we could not afford to buy another. Now we want to have Audi buy back our car and pay all the fines and penalties we've read about in the proposed settlement. One issue that bothers me is how they plan adjust the amount they pay owners for their cars depending on the cars mileage in September 2015.

" The amounts for buybacks are calculated by taking the full September 2015 NADA value, and adding the amount of restitution payments owners would be entitled to if they had kept their cars.

However, the NADA "clean trade value" assumes cars accrue 12,500 miles per year, or 1,042 miles per month. "

ASSUMES. Please let's don't go there. That got us in this scandal.

I don't wanted to be cheated again. We have several maintenance records showing our mileage each year including 2015. We also have work mileage logs. We put at least 8000 per year more miles on our car than the assume amount. Now if I was selling my car last September "assuming" this scandal hadn't occur I would have had more than 20,000 less miles not 12,500. This assumption is also penalizing those of us who continue to drive over the standard amount more each month this scandal goes on. It just ridiculous to assume if you have lets say 100,000 miles on your car in 4 years that last September your car only had 87,500. The logical mileage would be 75,000.

For those owners who drive the assume monthly average or less now have an incentive to continue to drive and pollute until they are force to take action in 2019 and still get the same settlement amount for their car 3 years later.

I would like to propose that either 1) if you have proof of your mileage in September 2015 that could be used instead of standard 1042 per month calculation. 2). Propose a date your car's mileage must be verify by your car's dealership. Take that my mileage and divide it by how many months you've own it to determine your monthly mileage to be used for you "clean trade value". 3). Create an incentive to take action sooner rather than later to help the environment.

We got cheated already. We've unknowingly polluted more than most for almost 3 years and since we couldn't sell it, were force to continue to pollute for another year. How do you measure that in dollars.

Please do the right thing: Get these cars fixed or off the road as soon as possible. Don't penalize some while promoting the continued use and pollution of others.

Thanks for taking the time to listen to my thoughts in this very disturbing case of fraud.

Eric Price

From: Jean Pritchard
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 8:04:32 PM
Subject: VW Diesel owner comment

Good afternoon,

My name is Jean Pritchard and I own a 2009 VW Jetta TDI. I read what the company appears willing to do to handle the diesel problem. I understand the state of CA is not happy with the resolution as it stands.

Because my car is likely to be bought back, it is upsetting that this could take much longer than the fall of 2016, which is the earliest date VW indicated they would start resolving issues with owners. It bothers me that I may have to pay for tires or repairs if there is an problem with the car between now and when it finally settles...I think that is wrong as well.

I am not in a position to, nor do I want to buy another car until it settles. I bought the car because it was the "green" car of the year; the thought of having to spend more money on this car at this point is truly frustrating. I hope this resolution will not be held up indeterminately by legal issues. That is not right for the owners or the environment.

Thank you.

-Jean Pritchard

From: E Pudjayana
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 7:49:06 PM
Subject: Document 2016-15858 VW Diesel Settlement - Warranty Refund Comment

To the Assistant Attorney General,
I am the owner of a 2011 VW Golf TDI and have read the proposed settlement.

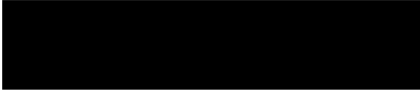
Some owners like myself have purchased a special extended warranty from VW Drive Easy Program called "**Purchase Price Refund Mechanical Failure Service Contract**" at significant cost over a typical extended warranty (\$2400 for 7 years or 70,000 mi).
If the warranty period ends without any claims made against it, the original owner is eligible for a full refund of that warranty contract.
The idea is to guard against major failures.

The emissions issue is forcing many owners to decide on their vehicles before the terms of the warranty ends.

Owners who are still eligible for the Purchase Price Refund portion of the contract and decide to return their vehicles to VW should be given that refund.

As a compromise, a pro-rated refund should be based on the September 2015 date.

Regards,
Ed Pudjayana



From: Yangers Puentes
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 2:06:33 PM
Subject: VW Buy Back Class Action Comments

1. Allow the dealers to take off 20%-25% off of MSRP on ANY 2017 VWs, specifically for TDI class-action victims, to provide an incentive for people doing a buyback to stay with the VW brand.
2. Allow dealers to pre-order the new vehicle for customers affected by the TDI class-action settlement. This should start happening ASAP, so that by the time the customer can bring in the car for the buyback, the car they want is on the lot already. For example, this should allow me to visit my dealer in August/Sept, sign a commitment form for the buyback, and spec out/order my replacement VW. The car would then be at the dealer hopefully by Oct/Nov when the dealer can officially process the buyback

Yangers Puentes

From: R Quinn
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 8:15:49 AM
Subject: VW settlement public comment

As an owner of a 2014 TDI with low mileage, currently 20K miles, I feel as though the warranty (4yr/48K) on the emissions fix is insufficient. I believe most emissions related components are typically warrantied for 100K or 120K. I think VW should be required to support a warranty that would at least take me to 120K, if not longer in light of the deliberate act to circumvent emissions requirements.

Thank you,

Robert Quinn

From: Walt Quinn
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 7:28:52 PM
Subject: Buyback Valuation

The valuation should be based on a private sale, not the trade in value.

I keep my vehicles in very good condition and never trade them in to a dealer, I always sell them to a private individual because they bring a higher price.

This transaction is not my choosing, it is being forced on me by Volkswagen's criminal activity. I should be fully reimbursed for the full value of my vehicle.

Thank you,
Walt Quinn

From: Bill Quirk
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 8:39:57 AM
Subject: Comment on proposed VW settlement

Overall, I am pleased with the buyback and compensation for owners.

However, it does seem a bit unfair to those of us who have owned our cars since new. In my case, I own a 2010 Jetta Sportwagen which I purchased new in 2010 and still own. Yet, I will get the same payout as a person who bought a used 2010 Sportwagen in, say, August of 2015. Yes, I have gotten more months of use out of my vehicle. But I also paid a much larger premium for the diesel when I purchased new than did someone who purchased used.

Bill

Bill Quirk



From: Diane Raffa
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 3:19:52 PM
Subject: Dissatisfied with Volkswagen Settlement!!

I am [REDACTED] on a fixed income. I own a 2012 Jetta TDI which I purchased new.

This scandal has upset me on a number of levels. [REDACTED]
[REDACTED] The car I thought to be good for the environment is not.

I was extremely happy with my purchase, over the years I have recommended to many people that they consider a Jetta if purchasing a new car, I was devastated to find I was helping to promote a deceitful company, a vehicle that harms our environment, and it was not an error it was deliberate cheating for monetary gain.

The news coverage of the proposed settlement is claiming the settlement for consumers is very generous, not in my opinion!!!

The proposed settlement money will allow me to pay off my loan with Volkswagen Credit. The balance will be used as a deposit for another car. Now instead of being done with car payments in a little over two years as I had planned, I will be forced into the position of having to make a car payment (current payment is \$310.00 per month) for the next five to seven years. How is that generous? Money I could have used for so many other things is being tied up because of the deceitful actions of Volkswagen.

I feel Volkswagen should have to fix this situation in a manner that would not take my financial planning and throw it out the window. The fix should leave consumers in the same position they were in if they haven't cheated. Meaning I should not have to start all over again with a substantial monthly payment.

Please feel free to contact me if I can provide any further information.

Yours truly,

Diane Raffa

Telephone [REDACTED]

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 3:57:35 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

To Whom it May Concern;

I am writing to comment on the proposed settlement. I feel that the proposed settlement does not adequately compensate those who purchased the vehicles referenced. I personally have a 2013 Jetta Sportwagen Diesel. I previously owned a 2010 Jetta Sportwagen Diesel which I traded in to facilitate the purchase of the 2013 model.

This settlement does not take into account the time spent researching the vehicles, the taxes paid on purchasing both vehicles, the interest paid to the bank during the time I have been paying on both. I will now have to spend a significant amount of time trying to find a comparable vehicle, of which I do not believe I can find in my price range. I will have to pay taxes again on another vehicle, more interest in order to finance the vehicle.

It is my belief that the owners of these vehicles have been not only deceived about the "clean" diesel, but now will also not be able to make the decision to have the vehicles fixed and then if they no longer have the power or fuel mileage they will have no recourse from that point on.

I feel that the owners of these vehicles, myself included, made the decision to purchase a vehicle that would provide fuel efficiency and not harm the environment in the same manner as the diesel trucks (both commercial and private) and trains that put out far more pollutant than these diesel cars. As such I feel that Volkswagen should be liable for more than the "trade in value" of these cars in September of 2015. These vehicles should be purchased back by Volkswagen at the same price they were purchased for, by the consumer, and include a stipend to cover the taxes and finance charges that we have had to incur.

I would very much like to see Volkswagen taken to task for lying to consumers and the EPA alike.

Sincerely
Catherine Ray

From: Reimann
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 4:59:23 PM
Subject: VW Comment

Good Afternoon,

As a 2012 VW Jetta TDI owner awaiting the final results on the cheating scandal I have several comments to make on the settlement. First, the mileage deduction used by VW should be looked at again. It seems to be very low since most people who have purchased this type of vehicle use it as a commuter vehicle and have higher than average mileage. Second, what about the interest paid on loans, what type of reimbursement will there be for that? Third, not enough options are listed for reimbursement, ie, fog lights, moon roof etc. I feel my compensation is not at the value it should be. Also, will there be any reimbursement for maintenance items such as oil changes, tires, timing belt and other costs associated with repairs. The bottom line is that they should buy back the vehicle at full retail cost, VW broke the law and the consumers are taking the hit for their deception.

Thank You,

Patrick Reimann



Virus-free. www.avast.com

From: Jasper Rice-Herd
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 2:16:25 PM
Subject: VW Diesel Settlement

Dear DOJ,

I am writing to comment on the VW diesel settlement. I own a 2014 Jetta TDI, I purchased it brand new, it was the largest purchase I have made in my life. I bought the car because I have a long daily commute, it was touted as environmentally clean vehicle and was fun to drive. I planed to keep the car for as long as it would last, from my research TDI were known for lasting well beyond a gas engine model. I am disappointed in the settlement outcome for many reasons. I feel deeply tricked, I spent more money on this car than any other single purchase in my life, I worked very hard to be able to do that. I feel that is is not fair that I am would get anything lower than the Retail MSRP of a NEW vehicle, I would have never bought the car in the first place if I had known about the emissions problem. I also feel it is unfair that there is a mileage reduction which is limited to about 1000 miles a month, these vehicles are notoriously purchased to be a high mile commuter car, I was even told when I purchased the car that it is not worth purchasing a TDI unless you are driving more than 20k miles a year. What about additional components that I purchased for my vehicle? Do I receive compensation for those items? I spent a few thousand on additional components that are specific to the vehicle, for example a hitch receiver, a car cover, a bike rack, a roof rack. Now when I get rid of the car I will have to resale all these items for a vehicle that most people will be getting rid of, not the greatest market...

I also think that any loans by VWcredit should be recalled and refunded. I have a loan on my vehicle and VW will be making money off that loan unless something is done.

Please rip VW a new one, their disrespect for the consumer and the environment is something that should not be tolerated.

--

Jasper J. Rice-Herd

From: Jasper Rice-Herd
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 6:06:34 PM
Subject: Diesel Gate

Dear DoJ,

I am writing to comment on the VW Diesel preliminary settlement. I purchased a 2014 Jetta TDI Brand new, I babied the car, I really enjoyed the driving experience and the great MPG. I had not originally planed on purchasing a brand new vehicle, but due to TDIs being know for super high mileage and lasting the test of time, I went ahead and put down 14k so that VWCREDIT would give me a loan to purchase the vehicle. This vehicle has been the biggest personal purchase in my life. I was planning on keeping the vehicle for as long as it would drive, I purchased a tow hitch, car cover, bike rack, got the windows tinted, etc. I bought into VW and now I feel that I was tricked by VW, they sold me a lie. I purchased this vehicle that was supposed to meet a certain set of SPECIFICATIONS, but does not and VW knew that when they sold me the vehicle. I do not feel the buyback settlement is fair. Owners should receive their full purchase price + tax + compensation and loan forgiveness, that is the only way I see this being fair. VW knowing cheated the world and they should have to PAY.

--

Jasper J. Rice-Herd

From: Tim Richardson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 11:54:03 AM
Subject: Volkswagen Court Settlement

To whom it may concern:

I would like to share my story and opinion of the Volkswagen settlement offer. My wife and I each have a long commute to work. So about a year ago we went looking for a vehicle for each of us. We were told by the Volkswagen dealerships that the Passat and Jetta TDI models would be perfect for our needs. We were promised excellent power, great fuel mileage, and the promise of clean diesel. We ended up buying each of us a vehicle. My wife bought a Jetta, and I bought a Passat, with the understanding that these vehicles would be great for high mileage commutes.

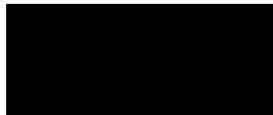
Over the past 15 months we have put approximately 50K miles on one vehicle, and 40K miles on the other. Now that the settlement offer has been proposed it seems we are being penalized for doing the exact thing we were told the car would be great for. Also, since we financed our vehicle through Volkswagen credit, we owe more on the car than it is worth now. I really feel like owners of 2015 model vehicles are getting a worse deal than owners of older vehicles.

I honestly feel like we should not be penalized for our mileage, and Volkswagen should cover the remaining payoff amount since we financed through Volkswagen credit. I realize Volkswagen offered to pay up to 130% of the payoff amount, but this is after the buyback amount + restitution. The 130% payoff amount should be based on the buyback of the vehicle only, not on the restitution amount.

I realize that I am just a small part of the Volkswagen customer base, but our family invested in 2 different vehicles from Volkswagen, and are now being penalized for driving the car as we were promised we could.

Thank you for your consideration.

Tim Richardson



2015 Volkswagen Passat TDI
2015 Volkswagen Jetta TDI

From: Greg Robertson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 12:05:29 PM
Subject: VW TDI Settlement comment

To whom it may concern,

First I will state that the majority of the settlement seems sufficient. However there are two items that are not sufficient for myself.

1. There is no fix! I recognize that the court must start the recall and waiting for a suitable fix is not an option. But it is readily stated that a fix is not guaranteed and with the recent 3.0 TDI fix being rejected I think it is apparent that a fix is either not going to happen or it will be highly questionable. Without a fix this settlement is tantamount to forced forfeiture with compensation, and that might be the only option the court can offer. However as a owner I don't like being sold the story that we will have the option to buyback or get a fix if there is no fix, it feels deceitful. A deceit designed to quite those of us that really want to keep the cars we purchased so that the settlement will go through and then we have no option but to comply with the buyback or get nothing in return for being cheated and lied to (twice?).

2. I also recognize that the settlement prices for the buyback would be considered by most as fair if not generous. That is until you begin to look at the disproportionate penalty for mileage driven. These cars were bought by environmentally conscious consumers willing to pay more to do the right thing when the option to drive less or commute less isn't feasible. Following the 12,500 mileage standard per year anyone that drives 30,000 a year will be looking at a minimum buyback or close to it. For example I purchased my first new car ever, a 2013 Passat TDI at roughly \$31,000 (after taxes). I bought it brand new because I intended on driving it at least 10 years and had committed to amortizing the cost the purchase over that 10 year span. Making the cost of purchasing the vehicle, not including all the other costs of ownership, \$3,100 per year. I will be offered about \$16,000 for a 2.5-3 year old car I intended on owning for 10 years and is arguably worth \$21,700 to me.

In conclusion these two concerns compound together making this deal less than satisfactory for myself and a large portion of other TDI owners. The buyback is does not compensate fairly for those of us that made a shrewd decision to buy one as a long term transportation solution and without a "fix" or data about the "fix" from a company that has already deceived us we will be forced to take a great financial loss.

And none of this addresses my personal outrage to being a pawn in VW's pollution for profit scheme, fines and remediation are a good start, but stealing my car only adds injury to insult.

Thank you.
Greg Robertson

If you wish to contact me please send email to 

From: Roger Ronald
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 3:37:15 PM
Subject: Comment: In re: Volkswagen, "Clean Diesel" Marketing, Sales Practices, and Products Liability, Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-, 1-11386

I recommend approval of the settlement. It appears to be generally fair at compensating owners. While the settlement might be improved to address specific complaints, valuations, and situations, there is a significant cost of delay for many members of the class. In fact, the primary harm that many have suffered is the inability to move forward due to the uncertainties of this case. A slightly imperfect solution is far better than an improved solution that is reached later.

That said, I have one specific complaint about the settlement terms. The exclusion of vehicle owners who have their car totaled between June 28th and the opt-out date in September is unjustifiable. Owners in that situation are clearly part of the class of those damaged by VW's actions with respect to these vehicles. Forcing them out of the class is unfair and creates the need for more litigation. They should get the same treatment of owners who have their car totaled during the period from September 2015 until June 28th or those who suffer the same after the opt-out date.

Thanks You,

Roger Ronald



From: Robert Rossen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 10:05:05 AM
Subject: Audi TDI A8L

When will the 3.0 tdi engines be resolved? This is letting Audi go with this fraud.

From: Gordon Rowland
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 6:01:50 PM
Subject: Volkswagen agreement

Greetings,

I believe that the agreement was worked out in an especially timely fashion, and I'm grateful to those responsible. One part of it that confuses me, though, is the compensation for deception.

Basing the buy-back program on vehicle value before the deception became public makes good sense. But doing the same for the additional compensation (for those chasing to opt out of lawsuits) seems odd, if not unfair. We were all equally deceived. By what logic do those who owned more valuable cars deserve greater additional compensation?

If I fail to understand something here, okay. Please explain. Otherwise, please reconsider.

Thank you,
Gordon Rowland

From: William Ruddy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 11:07:02 AM
Subject: VW Owner Comment on Settlement

To whom this may concern,

I am an owner of a 2014 Volkswagen Passat SE TDI vehicle. After reading through the documents of the proposed settlement and estimated benefits awarded VW car owners recently, I have several concerns.

1. The buy back amount depends on vehicle mileage

I originally purchased this vehicle thinking that it will last me a good 250,000 plus miles. I thought that it's a great purchase because diesel engines last a long time and it's good for the environment. Whether that's an unreasonable expectation or not, that's up for debate. If I had planned on initially selling or trading in this vehicle after a number of years of usage, I wouldn't have planned on driving as much. It is unfair that the buy back amount depends on standard driving mileage. The amount should be a flat rate based on model and trim.

Also, It is foolish to leave the settlement amount of individual buy backs up to the arbitrary judgement of Volkswagen. If there original intentions are any indication of future behavior, as a consumer I cannot place any trust in their judgement or "good intentions" to make things right.

2. Why is the buy back value based on the value of the vehicle right before the fraud was uncovered?

Volkswagen committed mass scale fraud through wide spread advertising campaigns in television and online. They sold consumers with "clean diesel". They committed fraud at the time of the purchase of the new vehicle. Therefore, owners should receive a 100% full refund of the original purchase price from Volkswagen.

Virginia residents who own Volkswagen vehicles are entitled to a full refund of the purchase of their vehicle and three times the damages. As a [REDACTED] and U.S. citizen, why are we holding VW to lesser standards?

Thank you for reading these comments. I understand they may not make a significant difference in altering the tentative settlement reached, but at least I voiced my reasonable concerns.

If you need further verification of my vehicle ownership, please email me.

Sincerely,

William Ruddy

From: Jeff Rule
To: ENRD, PUBCOMMENT-EES (ENRD); Jeff Rule
Sent: 7/6/2016 3:25:01 PM
Subject: Objection to Volkswagen buyback and Class Action Settlement

To whom it may concern,

As an "Eligible Owner" of an "Eligible Vehicle" I would like to offer my objection to the Class Action Settlement.

My first and primary objection is the use of the "Clean Trade value of an Eligible Vehicle" for its "Base Value". Eligible Owners purchased/leased their vehicles at "retail value", and in case of a buyback will likely purchase/lease a new/used vehicle at retail pricing. In essence, part of the "Owner Restitution" as outlined in the proposed settlement merely bridges the gap between "clean trade value" and "retail value" and is, as such, not recompense for loss due to Volkswagen's emissions fraud.

Major insurance carriers use local retail selling prices assigned to vehicles of like, kind and quality to derive actual cash value settlement offers for their customers. "Trade in value" is normally not used unless a vehicle is being traded into a dealership. Trade in value is similar to wholesale pricing in that any dealer buying a traded vehicle, will likely reassign a retail value to that vehicle with intentions of profit. I intend on "selling" both of my eligible vehicles back to Volkswagen and not trading them in. In my opinion the Base Value of the settlement proposal should therefore be the "Retail value" of the vehicle on or about August 2015 with added "owner restitution" as outlined.

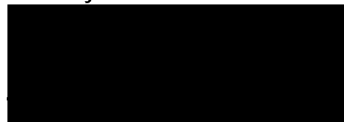
My second objection is that The National Automobile Dealers Association (NADA) does not assign value to several costly vehicle options purchased from Volkswagen at, or just under, MSRP. Example: Xenon Lamps = \$700.00 Option via window sticker, yet not considered by NADA or Volkswagen.

Even major insurance carriers use vehicle valuation methods that include all available manufacture options with market pricing assigned to them. Based on the information available, NADA assigns pro-rated value to a \$1000.00 Sunroof but does not acknowledge a \$700.00 Headlamp package or a \$1200.00 technology package in their valuation methodologies.

****At this time I do not** wish to exclude myself from the Class Action Settlement. I will, however, consult legal counsel and exclude myself from the class if adjustments are not made to the Buyback offer/Class action Settlement.

Sincerely,

Jeffrey A. Rule



2011 Volkswagen Golf TDI VIN# [REDACTED]

2014 Volkswagen Jetta Sportwagen TDI VIN# [REDACTED]

From: Jeff Rule
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 10:38:08 AM
Subject: Volkswagen Settlement proposal objection

To whom it may concern,

As an "Eligible Owner" of an "Eligible Vehicle" I would like to offer my objection to the Class Action Settlement.

My first and primary objection is the use of the "Clean Trade value of an Eligible Vehicle" for it's "Base Value". Eligible Owners purchased/leased their vehicles at "retail value", and in case of a buyback I will likely purchase/lease a new/used vehicle at retail pricing. In essence, part of the "Owner Restitution" as outlined in the proposed settlement merely bridges the gap between "clean trade value" and "retail value" and is, as such, not recompense for loss due to Volkswagen's emissions fraud.

Unlike Volkswagen, major insurance carriers use local retail selling prices assigned to vehicles of like, kind and quality to derive actual cash value settlement offers for their customers. "Trade in value" is normally not used unless a vehicle is being traded into a dealership. Trade in value is similar to wholesale pricing in that any dealer buying a traded vehicle, will likely reassign a retail value to that vehicle with intentions of profit. I intend on "selling" both of my eligible vehicles back to Volkswagen and not trading them in. In my opinion the Base Value of the settlement proposal should therefore be the "Retail value" of the vehicle on or about August 2015 with added "owner restitution" as outlined.

My second objection is that The National Automobile Dealers Association (NADA) does not assign value to several costly vehicle options purchased from Volkswagen at, or just under, MSRP. Example: Xenon Lamps = \$700.00 Option via window sticker, yet not considered by NADA or Volkswagen.

Even major insurance carriers use vehicle valuation methods that include all available manufacture options with market pricing assigned to them. Based on the information available, NADA assigns pro-rated value to a \$1000.00 Sunroof but does not acknowledge a \$700.00 Headlamp package or a \$1200.00 technology package in their valuation methodologies.

****At this time I do not** wish to exclude myself from the Class Action Settlement. I will, however, consult legal counsel and exclude myself from the class if adjustments are not made to the Buyback offer/Class action Settlement.

Sincerely,

Jeffrey A. Rule

2011 Volkswagen Golf TDI VIN# [REDACTED]

2014 Volkswagen Jetta Sportwagen TDI VIN# [REDACTED]

Assistant Attorney General
Environment and Natural Resources Division

In re: Volkswagen "Clear Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

To whom it may concern:

I wish to comment on the published Partial Consent Decree filed with the court.

There are a number of inconsistencies between the FTC, DOJ, and Class Action settlement documents. As all purport to address the same case, this adds unnecessary confusion when the basics, such as the definitions used in the documents do not match. Furthermore, the benefits proposed are different in each, which serves no valid purpose other than to add confusion to an already complex settlement. These differences range from who is considered an owner, to what the compensation plan is to make owners whole. Failing to address these inconsistencies between documents will result in interpretations, which should be crystal clear, with no room for interpretation.

Next is the statement that owners have options when dealing with their cars. As it stands today, the modification has not been approved for use by the EPA/CARB, nor are any details available about what the modification does to the performance, longevity, reliability, or drivability of the car. Lacking these critical details, and a guarantee that the modification will ultimately be approved, this is really a non-option being offered. Further, should the modification ultimately not be approved, the owners have only a trade in option under the settlement, which itself is unacceptable and will be addressed next, leaving only the individual lawsuit as a viable option. Unfortunately, the terms force the impacted owner to wait until May 2018 to begin any recovery effort if the modification is not approved. Once the modification is finally rejected, there should be no delay in permitting owners from exiting the class, as the impact has already occurred, further delaying restitution to owners serves no valid purpose. A worse case is an unacceptable modification is approved by EPA/CARB, rendering the car not what was originally advertised or demonstrated for sale. In this case, there is no means to opt out of the class, leaving no means to be compensated and keep the car. This is what is fundamentally unfair about the decree and settlement, having to make a decision based on incomplete information, locking oneself in to a settlement that all necessary information has not been provided.

Finally, the trade in calculation misses making owners whole. If the purpose was to permit the owner to trade a cheating car for an equivalent car that meets emissions specifications, the computation used does not achieve that result. First, the purchase price of the car is not all that is required to ultimately drive the car off the dealer lot. There is no accounting for sales tax, or state mandated fees that are necessary to first obtain a car. Depending on state, these fees can be significant, often topping 10% of the purchase price. Thus, by turning in the car, owners must still come up with additional money to cover these costs. For owners that purchased in the two years prior to the scandal becoming public knowledge, they had no expectation of purchasing another car, so having to pay state taxes and fees to trade an emissions cheating car for one that complies is not reasonable. The term used by the DOJ is Retail Replacement Value, which is similar to the value insurance companies provide for a totaled car. However, insurance definitions include all the extra taxes and fees necessary to drive off in the car, but the FTC value ignore this part. As the DOJ implies that the FTC and Class Action settlement exceed this Retail Replacement Value, I suggest that the DOJ consider these additional taxes and fees when determining if the FTC value is sufficient, it is not.

By way of example, my car is a 2014 Beetle. It has average miles, in the \$0 miles adjustment bin, and for 13 months of ownership, the vehicle value indicated represents a 34% drop in value from the price paid on July 31, 2014. National average first year depreciation is 19%, making the value offered for the car nearly twice the average depreciation normally experienced. As TDIs have traditionally experienced lower than average depreciation, the value offered for the vehicle is unreasonably low. Were there a real modification option available, this trade in value being offered would not be an objection, I want to keep the car, but lacking a real option, I have to complain that the trade in value offered is unacceptably low, as the only option that may remain in the settlement.

Frederick Rush

From: Christian Sachek
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 1:57:19 PM
Subject: Volkswagen Settlement: Comment from owner

Hello,

I just plugged in my information into the settlement website, and I'm very disappointed and confused.

I purchased a brand new 2015 Golf TDI SEL in May of 2015 for around \$31,000. In September of 2015, I had about 4,000 miles on the car.

The settlement website states that my car is valued at \$23,428. Is this the value as of September of 2015??

Kelley Blue Book values my trade in with its current mileage of 14,800 miles at \$20,000.

How did my car depreciate 24% in 4 months? And then only another 10% in 12 months and 10,000 more miles?

There's something wrong here or I just don't understand how they're coming up with this valuation.

Christian Sachek


From: Dino Sahbegovic
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 5:45:12 PM
Subject: 15-MD-2672-CRB (JSC) Volkswagen "Clean Diesel" MDL

To Whom It May Concern,
I have a comment on the VW Settlement.

My particular concern is with the Appendix A definition of an "2.8 "Eligible Vehicle"" where it states that the vehicle must be "Operable".

Section 2.10 defines an " not Operable" vehicle if it had a branded title "Assembled, Dismantled, Flood, Junk, Rebuilt, Reconstructed, or Salvaged"

I take issue with the "Rebuilt" vehicle title not considered to be operable.

My opinion is that the owner of a vehicle that decided to keep the vehicle after an accident and repair it or purchase a vehicle from an insurance company and repair it, should not be excluded from this settlement. Those owners were deceived just the same and should not be punished by being excluded from the settlement.

If the vehicle was purchased/owned prior to Sep. 18, 2015, and is still on the road today, that vehicle is polluting just as much as a "clean titled" vehicle and should therefore be taken off the road. That is the whole purpose of this settlement.

States provide a way for "Salvaged" vehicles to be "Rebuilt" and put back in service. If a vehicle is not considered "Operable" after it has been rebuilt, then it should not be allowed back on the roads. If we allow such vehicles to be on the roads, then I would consider them to be "Operable", and those vehicles should have full eligibility for the buyback or fix as they are polluting just the same.

Furthermore, VW is required to salvage the vehicles it buys back (per the settlement) anyways, so what difference does it make what brand is on the Title ("Prior Salvage", "Rebuilt", "Reconstructed", etc.). In my opinion if it is on the road, it is registered, and in running condition, VW should be required to buy it back and not be allowed to save money by excluding vehicles simply because they previously or now have a "Branded Title".

Sincerely,

Dino Sahbegovic



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July 16, 2016

FROM: Ryan and Eva Salazar

[REDACTED]

TO: Department of Justice

Assistant Attorney General | US DOJ- ENRD-| PO Box 7611 | Washington | DC | 20044-7611

Assistant Attorney General,

This letter is regarding the Volkswagen Diesel Emissions Settlement. As the owners of a 2009 VW Jetta, we find the current proposal for settlement unacceptable. We purchased this vehicle with the understanding that it was a clean diesel and this was a lie. Volkswagen should be required to either buy back our vehicle at the full purchase price we paid or replace our Jetta with an comparable, new gasoline engine vehicle.

When we purchased this vehicle Volkswagen had marketed their new TDI engines as cleaner than previous diesel engines. As there is no approved fix yet, informed consumers are forced to speculate on what a fix might do to their vehicle's performance. Any fix would alter the fuel consumption, value of the vehicle and or performance of our Jetta. Without specifics as to how Volkswagen will fix the emissions situation, a buy back is the only option that we are comfortable with.

In addition to discovering that our vehicle is destroying our atmosphere, we are enraged to learn that Volkswagen knowingly lied about the engine. We would never have purchased a vehicle that was illegally polluting. Volkswagen committed fraud and deceived the consumer.

The vehicle we purchased is not the vehicle Volkswagen advertised. Volkswagen should refund our purchase price or replace our Jetta with an equivalent, new gasoline engine Jetta. A buyback at a reduced price is unacceptable.

Regards,

Ryan and Eva Salazar

From: Melissa Sanabia
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 2:36:39 AM
Subject: VW TDI Owner compensation proposed amendment

Hello,

Just a quick comment since I'm sure you're being bombarded with lots of similar requests.

I just traded in my beloved 2009 Jeep Wrangler for a 2014 Volkswagen Beetle TDI 2dr hatchback, because I have always loved the Beetle's iconic look, and had heard from a trusted friend and Volkswagen enthusiast that they were reliable vehicles with excellent gas mileage. Then I found out about "dieselgate", but felt better knowing that I was going to get the cash payout, as long as I sold the vehicle back or accepted the proposed modifications. Since I love it and plan on keeping it, I DON'T think it's fair that as a current owner of an UNCERTIFIED preowned vehicle, that I should share the payout 50/50 with the prior owner or lessee (I don't know since I purchased it at a dealership but I think it may have been leased) when ****I'M**** the one who is going to have to deal with any issues/diminished performance concerns arising from "modifications". I think the payout distribution should be more like 25/75, with prior owners getting 25% and current owners 75%, since the current owners are the ones who are going to have to endure any long term performance issues and likely reduced gas mileage. Just a thought. Thank you for your time.

Respectfully,

Melissa Sanabia

Sent from Yahoo Mail on Android

From: David Sandstrom
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: David C Sandstrom; [REDACTED]
Sent: 7/18/2016 10:16:55 PM
Subject: VW TDI Settlement Public Comment

As owner of an affected 2010 Jetta TDI Sedan [REDACTED], I object to the settlement terms for many reasons. Based on what I know now, I expect to sell the vehicle back to Volkswagen AG.

1. My car was offered at a premium price by my VW-branded dealer based on false "clean diesel" claims. Although the proposed additional \$5k is presumed to make up for these false claims, my car is Certified Pre-owned and the dealer would not negotiate on the high price of \$26000+. VW was quite proud of this Certified Pre-owned, "green" car. I believe there should be an added value to these certified pre-owned and dealer-maintained cars, which includes regular maintenance and several recall repairs.

2. I've never traded in a car to a dealer in my life, nor would I. I object to "Clean Trade-in" value which is an artificial value designed to boost profits of dealers by preying on the unsuspecting consumer. In this settlement, it's a value selected to reduce Volkswagen's financial liability. I did not pay the "Clean Trade-in" price for this car, I paid High Retail value. I would be foolish to settle on anything short of Clean Private Party or Clean Retail value. The difference, especially if selling the car now, amounts to thousands of dollars. I'm not selling the car pre-scandal, I'm selling it now.

3. There is still no EPA/CARB-approval for any fixes that VW may have proposed. There is speculation that any fix, especially for the earlier affected models such as mine, would affect both performance and mileage and involve regular, additional dealer maintenance and resultant inconvenience/expense. These performance/mileage/convenience/expense factors should be taken into consideration when compensating victims who elect said fix, if any.

4. There is a question as to whether vehicles repurchased by VW would be allowed to be resold or crushed/recycled. If being recycled, the mileage deductions in VW's calculations are a moot point; the mileage on a recycled vehicle means nothing and therefore must not reduce the value of any repurchase. If allowed to be resold without a fix (ostensibly, overseas) pollution is only shifted to another region.

5. There's been a stigma driving this car for nearly a year now. I feel guilt for continuing to drive it (out of necessity) but I was duped, I'm a polluter, and people know I'm a polluter. I suppose the additional \$5k is to abate my feelings, but it falls short in purchasing another car with similar mileage/performance.

6. Because I'm not a member of any class action and am acting pro-se, the settlement should allow individuals such as me to negotiate directly with the settlement administrator.

Thank you for your time and consideration.

David Sandstrom
[REDACTED]

From: Mike Sassin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 9:00:07 PM
Subject: VW Diesel Commentary

Am I wrong to think it would be in VW's and their dealer network's best interest to include 'every' dealer in the buyback and repair procedure?

If every VW dealer were given the opportunity to handle the transaction to buy back the affected vehicles, as well as delivery of the damages award to the owner/lessee, those dealers would then be in a perfect position to negotiate the sale of a new VW to that owner. Provided, of course, that VW offer further incentive for current TDI owners to stay loyal to the brand.

This idea may expedite the whole process and would allow dealers to detail and sell returned vehicles (without listing those vehicles as 'certified') while satisfying their need to continue sales. I've been told by several dealer sales associates that used TDI's sell as soon as they become available.

I have owned the VW brand my entire adult life and have purchased new VW's since the early 90's. That's over 25 years of brand satisfaction, not counting previous, and numerous, used air cooled models.

It may also benefit VW's image to put the face and words of a currently affected owner in a televised ad, to deliver the solution and make known VW's resolve to put things right.

In close, I'd like to personally thank the efforts of VW's corporate executives, working with the justice department and lawyers to resolve this issue in such a short time. If we were to watch the clock ticking, it would seem like the problem would never be resolved, but in retrospect, with regard to historical issues of the same significance, they've all done a remarkably swift job to come to resolution.

Sincere regards,

Michael Sassin



Comments for the Department of Justice during the Public comment period for

Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, No. 3:15-md-2672 (N.D. Cal.)

8 July 2016

I am an Eligible owner, with a 2014 VW Beetle TDI Premium Convertible.

VIN # [REDACTED]

I bought this vehicle in Nov 2014, and still presently own it.

I was an owner listed as a class member in the consolidated complaint. However I could not agree to the settlement because in my case, there were too many unknown variables.

Your notice in the Federal Register which opened the comment period states, *"In connection with the buyback, Volkswagen must pay Eligible owners no less than the cost of the retail purchase of a comparable replacement vehicle of similar value, condition and mileage, as of Sept 17, 2015..."*

You are allowing Volkswagen to use the NADA clean trade in value and not a retail valuation of our vehicles. This is not fair or right. Please change the class action settlement to have it use the NADA retail value, and not a trade in value. I cannot buy a replacement vehicle at a trade in price. It will be a retail cost.

My 2014 Beetle Convertible TDI is a Premium model. They were made late in the model year, in the Summer of 2014.

Here is the official VW Press release showing these Premium models did not go on sale until July 2014. I bought mine in Nov 2014, when the 2015 VW models were already out.

<http://media.vw.com/release/782/>

Here is the 2014 VW Press release on normal Beetle convertibles

<http://media.vw.com/model/pack/62/>

Here is where the 2014 Year to date Beetle convertible sales are listed including both gas and diesel.

<http://media.vw.com/release/907/>

I paid an extra \$3880 for a Premium model, over a normal Beetle TDI convertible. My car was 10 months old and had 6800 miles on it, in Sept 2015, when the TDI issues were acknowledged by VW. A normal person does not typically buy a new car and then try to trade it

in less than a year. We also know a new car depreciates 20-30% in the first year. Due to the small number of Premium convertibles made late in 2014, and the small number of VW Beetle Convertibles of all types sold in 2014, let alone just the TDI versions, the NADA clean trade in value does not represent a true and valid value for my Beetle Premium Convertible TDI. There is no category for a VW Premium model in the tables used in the settlement documents. There is no NADA option category for adding the upgrade cost for the Premium models.

I would recommend the settlement order VW to include an option category for 2014 VW Beetle TDI convertibles to add the \$3880 additional cost a Premium model had over the NADA value they are using to calculate the value for this settlement of Beetle TDI convertibles. The Audi section does show a Premium and Premium Plus category to account for upgraded features. VW is using convertibles all costing less when new, and at much less value than mine to calculate the trade in value being applied to my specific model. Another solution is to calculate a value as the court is doing for the 2015 models that do not have reliable trade in values. My Beetle TDI Premium Convertible is similarly situated.

I am a Department of Defense government civilian serving overseas in Israel, on official duty. The only section I can find addressing this, reading the settlement documents, is in the (Proposed) Partial Stipulated Order for Permanent Injunction and Monetary Judgement. Page 34, line 17-24, in Section XIII, C. 7. This section is very vague.

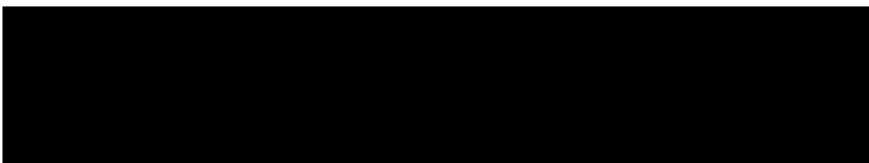
Can VW and the Plaintiffs develop an amendment detailing HOW this is to be accomplished, so when 26 July 2016 comes, we owners will know what we will be entitled to recover in terms of selling back our vehicles on a buyback.

I would like this section to be developed to show VW will pay for people to get a round trip business class flight from their duty station back to the US to a place of their choosing, to go vehicle shopping. VW will provide letters for foreign VW dealers to accept turn in of class member's vehicles. VW will pay for rental cars in the US and foreign country, between when the TDI vehicle is turned in, and when the replacement vehicle arrives. VW will pay to ship a replacement vehicle to the foreign duty station. VW will pay fees and expenses related to reregistering a replacement vehicle.

I will need a letter from the financing bank stating I will be taking my vehicle overseas. I suggest we get VW Credit to offer us financing at a very low rate of interest, to buy a replacement car, and facilitate the necessary documents for us to ship our vehicles overseas. This issue was caused by VW, and through no fault of our own.

I may be reached at:

Arthur Scharein



From: Jason Scheer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 11:01:54 AM
Subject: Please use retail, not trade-in for valuation

To whom it may concern,

I am an owner of one of the affected vehicles, a 2010 Jetta Sportwagen, and I am dissatisfied with the value proposed for my car for two reasons. First, even with the restitution amount it is significantly less than half of what I paid. Second, I am merely one third of the way through my planned use of the car.

I feel that it is only fair and proper that retail values be used. To replace it I must buy at retail and pay additional taxes and fees. Additionally, the differences between trade-in and retail values are there so a dealer can recondition the used car to make it ready for resale and still profit on the deal. There will not be any reconditioning or advertising, or any other dealer costs involved in buying back these vehicles, nor are the dealers making money on the trade, so it is unfair to burden the affected owners with this loss. I am not trading my car in voluntarily, I must sell it back, have it fixed, or continue polluting and risk being unable to register it.

In the unlikely event that VW develops a fix, I will lose the power and efficiency that were the reason I bought the car in the first place, and bear the risk of financial loss in the case of an accident, theft, or other insurance loss. Insurance companies utilize market value when paying for a vehicle, and due to the scandal that value is low now, and will likely drop more as the negative effects of the fix are revealed. This makes the proposition of keeping the car risky, again forcing me to sell back my car.

If the restitution amount is being used to offset any of these costs or differences in value, then it is no longer restitution, and should not be called such.

Even though I only qualify for the minimum, I am satisfied with the current restitution amount, so long as it is truly restitution, and not otherwise used.

Thank you for your consideration of this matter,

Sincerely,

Jason Scheer

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 8:36:59 PM
Subject: 2015 VW Passat

Greetings,

I financed \$40,561.86 over 84 months for my 2015 VW Passat SE TDI with the VIN [REDACTED].

This includes rolling in \$4761.86 of negative equity from my previous car, a 2011 Toyota Corolla S, \$199 for dealer fees, \$280 for dmv fees, \$2986 for extended warranty, \$895 for sealants, \$1495 for a clear film protection plan, and a total of \$6371 in interest.

On top of this, I've spent over \$2900 on snow tires, fog lights, led lights, and other VW dealer installed equipment and maintenance after the purchase of the vehicle.

This makes me all in for around \$43.5k.

My payoff is slightly more than the buyback.

The penalty paid to consumers should be purchase price plus dealer options/fees plus finance charges, plus compensation. These cars should have never been certified or brought to market.

All dealers have contract sales by VIN. These can be reported to corporate and to the court.

I am a currently serving 17 nearly 18 year veteran of the Air Force and believe strongly in ethics and accountability. VW needs to compensate consumers fully for putting us through this nightmare of going on 10 months.

Thank you for your time.

Best regards,
Christopher Schiltz

From: SCHILTZ, CHRISTOPHER A TSgt USAF [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 6:08:39 PM
Subject: VW Buy Back Public Comments

To the honorable Judge Breyer, and all parties associated with the VW "Dieselgate" Case:

According to my research and what I ascertain all 2015 model year TDIs, like mine, should have never been sold.

The reason why? Because it was known "behind the scenes" by all parties (other than buyers like me) that these vehicles were illegal in their manufactured configurations prior to hitting the market.

Here's the timeline of events from my research:

Early 2014: Researchers from the International Council on Clean Transportation (ICCT) and West Virginia University's (WVU) Center for Alternative Fuels, Engines, and Emissions (CAFEE), and the California Air Resources Board (CARB) determined anomalies between real-world tests and in the CARB lab. Researchers tested real world driving conditions compared to as tested in the lab (by plugging the current smog tech into the OBDIII port). When plugged into the port, the vehicle passed every time, but when road tested, they could never pass. Deviations between lab and real world are common, but never at the magnitude of 30-40 times the EPA limit.

Through this research, it was then identified that there was a defeat device consisting of a sophisticated software algorithm installed in the ECU, intended to fraudulently side step law (Since late 2008 when the 2009s hit the market), with the 2.0-liter four cylinder diesel engines. These engines, as configured emitted NOx 10-40 times the legal limit outlined in the U.S. Tier 2, Bin 5 emissions rules under the Clean Air Act. The effectiveness of these vehicles' pollution emissions control devices was found to be greatly reduced during all normal driving situations. This resulted in cars that met emissions standards in the laboratory or testing station, but during normal operation, emit nitrogen oxides, or NOx, at up to 40 times the legal standard. The software produced by Volkswagen was classified as a "defeat device," defined by the Clean Air Act.

The Clean Air Act requires vehicle manufacturers to certify to Environmental Protection Agency that their products will meet applicable federal emission standards to control air pollution. Every vehicle sold in the U.S. must be covered by an EPA-issued certificate of conformity. Motor vehicles equipped with defeat devices, which reduce the effectiveness of the emission control system during normal driving conditions, cannot be certified. This means that these vehicles should never have been certified. By making and selling vehicles with defeat devices that allowed for higher levels of air emissions than were certified to EPA, Volkswagen violated important provisions of the Clean Air Act and purposefully bypassed state/federal laws.

As such, these vehicles should have lost their certification and future years should never have been certified.

Growing up in years where there were smog advisories, NOx pollution is of great concern as it does contribute to public health crises. NOx pollution contributes greatly to nitrogen dioxide, ground-level ozone, and fine particulate matter. Exposure to these pollutants has been linked with a range of serious health effects, including increased asthma attacks and other respiratory illnesses which can be serious enough to send people to the hospital. Exposure to ozone and particulate matter has been associated with premature death (due to respiratory-related or cardiovascular-related effects). Children, the elderly, and people with pre-existing respiratory disease are particularly at risk for health effects of these pollutants. Thankfully, due to the hard work and dedication due to agencies like the EPA and CARB, smog has been reduced in many metro areas.

May 2014, Investigation on Volkswagen opened by the California Air Resources Board with the US. Environmental Protection Agency opened due to the results of the ICCT/WVU's CAFEE report as outlined above. VW knew about this, as did the then-CEO Martin Winterkorn.

CARB/EPA worked behind the scenes with VW for MONTHS to mitigate the findings. VW assured CARB/EPA that it was a technical anomaly and they'd fix "the glitch".

August 2014, Model year 2015 vehicles, despite technically, and knowingly by VW, CARB, EPA, and WVU's CAFEE, and ICCT that these vehicles in their produced configurations are not legal, begin flooding the showrooms and heavily marketed as CLEAN DIESEL despite not being clean. VW self-certified their certificate of conformity and were allowed to sell these illegally configured cars until the notice of violation came out nearly 13-14 months later.

December 2014, VW agreed to recall terms with CARB/EPA. VW offered a "recall" that VW pitched as a service bulletin to side-step the NHTSA recall process as it was a maintenance issue and "technically" not a safety issue - as it did not effect the car's safety systems despite the emissions system was spewing NOx at 30-40 times the legal limit which can cause serious health effects as identified above.

The fix was labeled as a "service bulletin" called 2309 - which came out April 7, 2015 would supposedly would fix "the glitch" on

2010s-2014s. The solution was for a software update in order to "fix an issue with the malfunction indicator light illuminating." This was NOT advertised to fix any defeat device - it was to fix a light. It was just another fraudulent attempt to not really show what they were doing.

May 2015, CARB tested the updated emissions but did not find significant improvement.

July 8, 2015, CARB shared the May 2015 test results with VW. None of the technical issues suggested by VW were found to explain CARB's results. Volkswagen claims that it had no obligations at the time to disclose any discussions that had led to it. I feel that this is morally, ethically, and potentially legally wrong. It again shows negligence, intent to fraud/deceive, as well as other factors. Between July 8, 2015-September 3, 2015 CARB and the EPA said that they will not certify VW's 2016 diesel lineup. VW then admitted to the "software irregularities".

September 3, 2015, VW admitted that the cars were "designed and manufactured with a defeat device to bypass, defeat or render inoperative elements of the vehicle's emission control system" per CARB.

September 18, 2015: Formal Notice of Violation of the Clear Air Act was issued to Volkswagen Auto Group, Audi Auto Group, and Volkswagen Group of America, Inc (Collectively known as Volkswagen).

September 21, 2015: A "stop sale order" was issued from VW to its dealers which halted the sales of their affected 2015 diesel models, and certified used diesel models.

September 25, 2015: Due to VW's wanton fraudulent/deceit/circumvention/etc, CARB sent letters to ALL manufacturers letting them know they would be screening ALL vehicles for any potential defeat devices.

Since then: Court proceedings have dragged on since that time effectively not allowing owners/lease holders to get out of their fraudulently sold/leased vehicles without financial detriment.

My personal timeline:

April 18, 2015: Unaware of the issues plaguing VW like all other American consumers, I went to Kendall Volkswagen in Anchorage, Alaska to test drive an award winning, best thing since sliced bread, "eco-friendly car of the year", clean/green 2015 VW Passat SE TDI with a sunroof for my 42 mile per day commute. The dealer did not have any SELs available, so it was my intent to upgrade parts using VW genuine parts to create an SEL. Due to low inventory levels, I agreed to terms on the vehicle \$50 below total MSRP - only one of 3 on the lot.

October 13, 2015: Despite the 23O9 recall being ONLY for 2009-2014 models and CARB/EPA/VW knowing the fix did not work, dealers did not. My Dealer ran 23O9 this day. Since then, my vehicle takes off very slowly, and has had an impact on fuel efficiency.

I am not a wealthy man by any considerations, I am a Technical Sergeant in the US Air Force and have a family of 4. I believe in accountability and VW is not being held accountable.

The breakout is below:

Initial Purchase

Price

Car

\$ 29,945.00

Trade-in (Neg Equity)

\$ 4,761.86

Extended Warranty

\$ 2,986.00

Clear Film Protection Plan

\$ 1,495.00

Sealants

\$ 895.00

DMV Fees

\$ 280.00

Doc Fee

\$ 199.00

Total Financed at 4.25% over 84 mos

\$ 40,561.86

Interest from 18 Apr 15 - 1 Aug 16 ~

\$ 1,997.21

Add-ons since purchase

Price

Fog Lights w/ labor

\$ 1,180.00

Snow Tires

\$ 949.00

Aftermarket Yakima Cargo Rack

\$ 500.00

Tinted Windows

\$ 285.00

Mud Flaps (+88.50 in labor not inc)

\$ 111.42

LED Lighting Kit

\$ 60.00

MDI Mini USB Adapter

\$ 42.86

VW License Plate Frame

\$ 34.99

VW Valve Stem Caps

\$ 13.00

Total Add-ons

\$ 3,176.27

Total financed/interest/add-ons as of 1 August 2016

\$ 45,735.34

Total offered by VW: \$31,127 (\$25,939.17 + \$5187.83 "restitution") with low miles and restitution comes up approx. \$14.6K short of just the financed/interest/add-ons not even factoring in maintenance (11 times in the shop in 1 year).

Even taking out the negative equity and financing a lower amount will not come close to the \$31,127 offered by VW (breakout as follows).

Initial Purchase

Price

Car

\$ 29,945.00

Extended Warranty

\$ 2,986.00

Clear Film Protection Plan

\$ 1,495.00

Sealants

\$ 895.00

DMV Fees

\$ 280.00

Doc Fee

\$ 199.00

Total Financed at 4.25% over 84 mos

\$ 35,800.00

Interest from 18 Apr 15 - 1 Aug 16 ~

\$ 1,763.40

Add-ons since purchase

Price

Fog Lights w/ labor

\$ 1,180.00

Snow Tires

\$ 949.00

Aftermarket Yakima Cargo Rack

\$ 500.00

Tinted Windows

\$ 285.00

Mud Flaps

\$ 111.42

LED Lighting Kit

\$ 60.00

MDI Mini USB Adapter

\$ 42.86

VW License Playe Frame

\$ 34.99

VW Valve Stem Caps

\$ 13.00

Total Add-ons

\$ 3,176.27

Total financed/interest/add-ons

When this "deal" goes through and the buy-back is enacted, I will be upside down on this deal of \$9.6K to \$14.6K (not including insurance of approx. \$1.6K, and approx. \$1.2K in diesel fuel) and will not be "made whole" by VW's wanton and intentional deceit as the vehicle should not have hit the market to begin with in only a matter of 472 days - every single day CARB/EPA/VW knew about this and 319 days since it was public essentially holding vehicle owners hostage.

Why should my family's financial security suffer due to VW's fraudulent activities?

My opinion:

-VW needs to fix and provide restitution or replace the vehicles and provide restitution as determined by Judge Breyer.

-The buy back on new purchases should be based on contract amounts, parts/service contract amounts by dealer, less mileage for fair use, plus restitution. date of purchase, sales contract amounts (not factoring in any rolled in negative equity) plus factory + DEALER add-ons (contracts are held by the dealers/corporate (with VIN documentation), plus estimated operating costs (fuel, insurance, maintenance, tolls, interest, depreciation, etc) minus the IRS mileage rate prorated by day per year PLUS restitution.

It is pretty easy to do this. Please see below for computation - first chart is for IRS mileage deduction, second is for estimated fuel costs (estimate based on user estimates from fueleconomy.gov), and the third is for all estimated expenses less mileage deduction plus 20% compensation.

Years

IRS Mileage Rate

Days of Ownership

Estimated Miles Per Year

Mileage Deduction

2016

\$ 0.54

214

6575

\$ 3,550.50

2015

\$ 0.57

258

7925

\$ 4,517.25

472

14500

\$ 8,067.75

14500 miles

Year

Days of Ownership

Prorated Miles

Gal of Fuel @ 32.5 mpg

Fuel at \$2.499 pg

2016

214

6575

202.3

\$ 505.57

2015

258

7925

243.8

\$ 609.37

Totals

472

14500

446.2

\$ 1,114.94

Estimated Expenses

Car

\$ 29,945.00

Depreciation

\$ (4,005.83)

Fuel

\$ 1,114.94

Insurance

\$ 1,888.00

Interest

\$ 1,763.40

Add-ons (to be turned in w/ receipts)

\$ 9,031.27

Subtotal

\$ 39,736.78

Mileage Deduction

\$ (8,067.75)

Subtotal

\$ 31,669.03

20% Compensation

\$ 6,333.81

Final

\$ 38,002.84

-These figures would make people more whole if a full buy back from MSRP plus compensation isn't warranted.

-I would like to specifically mention that the "Clean Used Car" price for NADA is determined by zip code, not by region as determined by the NADA site/which is not like the settlement page. This cost should be based on the Department of Motor Vehicles registered addresses of the individual vehicle based on an average of 18 August - 17 September's price. This price, for 2009-2014s should not be an average of 1-30 September by zip codes within a region as there was 13 days where the value tanked. Then factor in the 20% plus mileage at 15K mileage per year.

--I called NADA and was informed that they were unable to provide how they came up with the pricing data of the TDI settlement due to a confidentiality clause with VW (this should be transparent to the class).

-Since the 2015s should have never been sold - and nearly half of them were never sold due to the stop sale order, why are they being bought back with much depreciated prices like the others? VW/CARB/EPA knew ALL along these should have never been sold. I am now upside down a lot from their deceit.

-Please reply back notifying me that the court is in receipt of my public comments.

-VW should be accountable as should all industries if they knowingly break federal laws to BOTH the consumer, and the government. VW CEOs, and engineers who knowingly broke various laws should also be tried criminally to provide a deterrent for other companies.

Thank you for allowing me to make public comments regarding this case.

Many thanks,

Christopher Schiltz

//SIGNED//

CHRISTOPHER A. SCHILTZ, TSgt, USAF

From: Jennifer Schorr
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 10:31:03 PM
Subject: Don't punish those who drove the most

I have had my 2010 VW Sportwagen since October 2009. I purchased it for its small environmental footprint. Now I know I have instead, over 107,000 miles, had an excessive environmental impact.

I am angered that the current settlement plan gives greater damages to those with much newer cars with much fewer miles on them. Those of us in this for the longest, who have chosen to use this car for long trips over a secondary car, for example, because of its great mpg, are now being nicked and dined by VW by the mileage calculation. The whole point of buying this car was to drive it a lot!

I assumed greatest damages (beyond the FMV) would go to those with oldest cars, and the least would go to those with newest cars. This is no way to settle on the longer betrayal and the greater impact of environmental damage made to those of us with first-generation cars in this lawsuit. The measure for punitive damages is entirely lopsided and infuriating.

I hope the unfixable cars are recycled as much as possible and kept off the road so that the environmental impact isn't just moved to another part of the world. I hope newer-generation cars are presented with a fix--they shouldn't be recalled at all! What a complete environmental waste to recycle those that should be able to be fixed.

Thank you for taking comments, I hope you are seeing a trend in feedback by car owners who want mileage removed from the calculation and greater punitive damages given to longer-term owners.

Sincerely,
Jennifer Schorr

From: Randy Schrecengost
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 1:41:11 PM
Subject: VW TDI buyback

To whom it may concern,

I am a current owner of a 2013 VW Passat TDI SEL. I purchased this vehicle because I was looking for a car that had above average fuel efficiency for commuting to work. Although I was hesitant to purchase a diesel, VW's claims for a clean diesel car convinced me otherwise. Since May 2013, I have driven just over 70,500 miles. Based on the reported buyback proposal, I feel I will be unfairly compensated since the overall value is reduced due to the above average mileage I have accumulated on my vehicle. I never would have purchased this car if I was not driving greater than 20,000 miles per year. Now, my buyback will be less for the very reason I purchased the car. Shouldn't payments be increased with higher vehicle mileage since my Passat would have released even more harmful emissions than cars driven less?

Thank you,

Randy Schrecengost

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:52:22 PM
Subject: VW TDI Settlement Comment

Hi, I am writing as an owner of a 2012 VW Jetta Sportwagen TDI that is part of the settlement. In general, I am ok with the settlement, with one exception:

1. The buy-back value of the cars should be based on retail value, not the trade-in value, as we as owners are not trading it in with the associated savings on sales tax.

We are potentially selling the car outright back to VW.

Best Regards,

Doug Schuler
[REDACTED]

From: Sheila Schult
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 11:01:33 PM
Subject: VW proposed settlement

In response to the proposed VW settlement we would like to offer the following comments:

- We are the owners of a 2010 Diesel Jetta. We own the car outright and hold the title to the car.
- The car was purchased because we were told that it was a clean diesel and yet still had good gas mileage and pick-up.
- Our intention at the time of purchase was to keep the car long-term, thus it warranted the extra price to purchase a VW as well as the diesel engine.
- We anticipated keeping the car as our second car well into our retirement.
- **We do not** feel that the proposed settlement addresses the **issue of fraud to VW purchasers/owners.**
- The proposed settlement is a band-aid to appease the EPA and what VW is offering is not showing their remorse in this case but in actuality, shows their lack to willingness to change their way of doing business.
- One option in the proposed settlement if owners wish to keep their current vehicle is to offer a monetary amount and the "promise" to bring to standards the diesel emissions but in reality, to date, we understand that there is no "fix" for our model and most likely will be too costly for VW to fix. We do not understand how this option can be included in the proposed settlement when a fix does not exist and may never exist for the later models.
- We do not feel that the proposed settlement addresses the **issue of fraud that has been admitted by VW against American car buyers.**
- We would NOT have purchased the car if we had been told the truth about the diesel engine, the emissions, and the mileage.

We sincerely hope that you reject this settlement offer and protect those of us that purchased these vehicles under fraudulent statements by forcing VW to address their wrong doing. This case is about more than removing out of compliance diesel cars from the roads and needs to include the blatant fraud committed by VW.

Thank you for allowing us to comment. We would ask that you sincerely consider the financial impact that this purchase has had on us and will continue to have as we approach our retirement.

Hans and Sheila Schult

From: Amanda Schwanholt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 9:40:24 PM
Subject: Volkswagen Diesel

Hi, I for one, am not happy with the current proposed settlement. I believe they should use the retail value and not trade-in, because we are not trading them in. Also, not everyone will actually receive the cash compensation to be able to be put in their pocket. These cars were meant to be driven many miles, more than the average, so the more miles we drive the less we get. If we are to get deduction for mileage, why not make it a wider range, instead of every 5000, make it 10000 for plus/minus \$\$\$. Instead of the 1,042, make it say 1,500.

Thanks,
A concerned VW TDI owner.

Sent from my iPad

From: Amanda Schwanholt
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 9:50:54 PM
Subject: VW TDI

Hi, I have just a couple of things to comment on. I believe that we should be using the retail value, I believe it was stated in the documents, instead of the trade-in value. They are buying them back, we are not trading them in. Also, these TDI's were meant to be driven a lot, with their excellent fuel economy, 1,042 miles a month is pretty low amount for a vehicle with such amazing fuel economy. I believe that that number should be higher, equal to about 15-20k/year, not the 12k that we are giving.
Thank you.
A VW TDI Owner.

Sent from my iPad

From: Laura Schwartz
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 1:27:50 PM
Subject: Volkswagen settlement

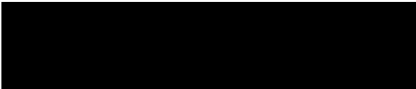
While I am grateful that this issue is finally being resolved, I am disheartened to learn of the value of my particular settlement package. I was duped into buying a green car, saving thousands of dollars in state sales taxes, all the while thinking I was helping to reduce emissions. The package for me (approximately \$15,000) does not come close to what I spent to purchase and maintain this vehicle of fraud. I will receive this money and then have no vehicle to drive. In essence, this settlement costs me at least \$15,000 in that I will have to purchase another car to replace my fully paid off (and functional, albeit not in the way I had intended) 2010 Jetta TDI.

I feel that Volkswagen should reimburse me for the cost of the vehicle, the cost of the maintenance, and a penalty for their misdeeds. I was expecting a much larger figure, a figure that would enable me to purchase another similar vehicle with money to spare. Volkswagen has the money to afford a larger settlement and I think they should have to pay it. This willful and elaborate scheme to defraud the public, as well as the planet, should be punished more harshly. Do not let Volkswagen lie and cheat to us and then get away with a smaller settlement, in essence putting one over on us for the second time.

While \$15,000 in cash is nice, having a vehicle to drive is more important.

I hope you take my comments into consideration. Please don't hesitate to contact me.

Laura Schwartz
2010 Jetta TDI Owner



From: Don Schwartzhoff
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 10:31:28 AM
Subject: VW Court Settlement comment - impact of state sales tax on buyback

Overall, the settlement appears fair to all parties. I've wanted to sell or trade my VW Passat TDI SEL since I learned of the fraud. However, there was no market for my car, and I had no way to determine its value.

When I purchased the car, I spent \$2784.76 for Georgia state and local sales tax. On a trade in, I would not pay state and local sales tax on the trade-in value. However, on the buyback, I do.

In essence, the buyback is the same as selling my vehicle and purchasing a new car. I will now have to pay state and local sales tax on the entire price of my replacement vehicle – a cost of nearly \$2500 to me.

Therefore, I recommend that the settlement (buyback) be considered a trade in. Ideally, I should be able to endorse the buyback check I receive from VW, and use it as a trade in at another car dealer. Then, I would be "whole". Yes, the states lose sales tax on the buyback amount. However, the settlement already offers the states remuneration from VW. I should not have to subsidize any of this.

Thank you for considering my comment.

Margaret M. Schwartzhoff

Sent from Mail for Windows 10

From: John Scott
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 7:15:42 PM
Subject: VW Diesel Buyback

To Whom it May Concern,

As the owner of a 2010 VW Jetta TDI I am deeply concerned about the proposed settlement agreement and buyback. I will put aside my belief that I find it profoundly disturbing that I am either forced to surrender my vehicle or incur repairs that will adversely affect the vehicle's performance. I have come to terms that I, along with over 400,000 unfortunate owners, are being forced to surrender or castrate the performance of our personal property.

I have consulted the Volkswagen's website to inquire of the "buy back" amount for my vehicle. It has been touted that Volkswagen owners will receive compensation to make them whole. After learning the proposed amount for my vehicle, I am nowhere near being made whole. The proposed buyout for my vehicle is approximately \$8,300 for fair market value and approximately \$5,100 for my "trouble." That is \$13,400 for a vehicle I have owned for about six years (paid a premium on for the diesel version I might add) and intended to keep for at least six more years. For me to buy a replacement vehicle of similar quality, performance and reliability I will have to expend an additional \$7,000 to \$10,000 for a USED vehicle. That doesn't sound like it is making me whole. Fixing the car is not an option either, as my vehicle will suffer significant reduced performance and a reduction in miles per gallon. I also live in a state, [REDACTED] that has strict emissions standards, so doing nothing is not an option either. And just out of idle curiosity, is the federal government going to propose that the additional settlement monies above the fair market be taxed as taxable income? I would certainly hope not as that would be the second injustice dealt to VW owners.

I am not asking for a refund of the full purchase price paid. I very well understand the diminution in value of purchasing cars. However, the Department of Justice must consider the perilous situation that myself and other VW owners find themselves in. We are being forced to give up cars that give us superior performance, fuel mileage and enjoyability. If that weren't bad enough, we also have to surrender our cars at a loss and spend thousand of dollars, needlessly to find a replacement, albeit inferior, vehicle.

I urge the Department of Justice to consider the plight of innocent automobile owners. The proposed settlement is grossly unfair and is nowhere near sufficient to compensate those who have to give up their means of transportation. Since the alleged offending TDI automobiles emit approximately 1/3 of the pollutants of a diesel pick up truck I urge you to consider grandfathering these vehicles.

Sincerely,

John Scott

From: Brian Scurlock
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Brian Scurlock
Sent: 7/27/2016 3:54:23 PM
Subject: Public Comment on the Volkswagen 2.0L TDI Class Settlement

To whom It may concern,

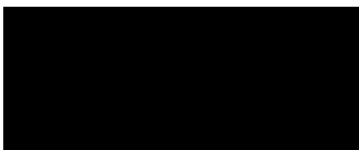
I am a class member affected by the Settlement. I registered today using the VW supplied portal to begin the process of submitting a claim. Although I am satisfied overall with the remedies available, I am dissatisfied with both the timeframe and mileage impact on the compensation.

During the registration process, I was asked to supply a monthly mileage estimate, this appeared to be used to predict a higher future mileage at my anticipated sellback date of November, 2016 and depreciate my value. My monthly mileage exceeds the NADA annual estimate and if it was used to back calculate the value to September 2015, I would expect this to have a positive impact on my compensation. In other words, my high mileage was used to predict my future odometer reading, but not my past odometer reading / value at the point in time the settlement is based on. I feel that other records should be allowed such as maintenance records to assist in pinpointing the odometer reading in September 2015 versus the NADA average annual mileage. It has been implied via many sources that the condition of the vehicle will be evaluated as a part of the process. This is troublesome if this process does not conclude for another 3-4 months. I recently had to invest in tires, I'm overdue for a \$1,200 timing belt replacement the failure of which may cause catastrophic engine failure which may limit my benefits in this settlement. I'm also concerned that if I were to suffer a total loss due to an accident or theft in that timeframe, that I would no longer be able to participate and my insurance company would potentially only compensate me for today's NADA value. Volkswagen is also indirectly benefitting from this lengthy process as my buyback offer lowers with every mile driven while I wait. I would gladly turn over the car tomorrow to escape the depreciation, maintenance, risk of loss, and loan payments.

Thank you for your time and consideration of my concerns in this matter,

Sincerely

-Brian A. Scurlock



Sent from Outlook

From: Christopher Self
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 11:52:15 AM
Subject: VW Dieselgate Settlement

I wish to object to the recently agreed settlement between VW and DOJ/EPA/CARB and request that the Court should not approve the Class Action Settlement as fair, reasonable, and adequate. I am an eligible owner of an eligible vehicle (2011 Jetta Sportwagen TDI). I believe the monetary settlement terms are on the low side and favor VW whom have admitted guilt in this matter.

The value of the buyback and additional restitution is determined from NADA Book trade-in value, which is essentially wholesale. That doesn't make me as a customer whole. It is buying back the car the dealer bought new, at retail, for its depreciated used-car value. And the older the TDI is the less VW has to pay. Why does this trade-in value proposal exist when it clearly contradicts the agreement laid out in the 225-page Partial Consent Decree posted on the FTC's website that, in part, reads:

Appendix A. Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle the option of the Buyback of the Eligible Vehicle at a price no less than Retail Replacement Value, or the Lease Termination in accordance with the terms specified in Appendix A.

And, what about the sales tax credit that I will lose by having to replace the vehicle? Typically that has been the only advantage to ever trade in a car when buying a new one, the simple fact that I would be exempt from tax on whatever the trade amount was. That is a savings of 5 to 9 percent on top of whatever I get for my "trade".

The mileage adjustment is also unreasonable, it disregards the fact that diesel vehicles are a significant premium over equivalent gas models because they are marketed as high mileage vehicles and the engines have significantly higher lifetimes. The average mileage should not be based on the NADA 12,500/yr but a more realistic 16,000 to 18,000/yr such that the penalties for high mileage in this settlement are reduced.

There should also be an immediate extension of the warranty on emissions related systems & parts going forward. With the recall campaign "EMISSION SERVICE ACTION 2306-EMC Software - April 2015", VW attempted to conceal the defeat device by changing system parameters which may have a profound effect on emissions system function and longevity. Since that service action my vehicle undergoes more frequent regenerations as evidenced by increased idle rpm's. There is an extensive thread on the TDI Club forums discussing this recall and its adverse effects on vehicles, so it is an issue that VW needs to address. The settlement terms should acknowledge this and the emissions warranty on any proposed fix be extended beyond the maximum of 168,000 miles.

sincerely,
Dr Christopher R Self Ph.D

From: Saied Naaseh
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 9:29:05 AM
Subject: Fwd: VW Settlement Comment

I leased my 2015 Audi A3 TDI on July 26, 2016. Since I drive approximately 20,000 miles a year, I leased my car with the full intention of purchasing the car at the end of the lease; therefore, avoiding mileage fees. I believe the settlement agreement is not fair to lessees and have the following concerns. I request the court to address my concerns in writing prior to making a final decision on the settlement.

1. My fundamental issue with this settlement is that prior to me leasing my car, in May of 2016 (prior to public announcement of September 2015) the EPA notified VW/Audi regarding the non-compliance of the 2.0 diesel engines. Therefore, the transaction should be void and VW/Audi should fully refund all my payments plus payment of the restitution fee.
2. Since EPA knew about the cheat mode prior to my lease contract being signed, EPA failed to protect me as a consumer/citizen. EPA should be required to pay damages to those who leased or purchased after EPA found out about the cheat device and notified VW/Audi of this and before the scandal was publicly announced. EPA should be questioned by the courts to find out why they failed to protect consumers/citizens.
3. Lessees are unfairly treated as we receive half of the restitution fee as compared to those who purchased. VW/Audi has a contract with me and I the right to purchase the car at any moment as long as I pay what is owed on the contract. However, through the settlement, VW/Audi has placed an arbitrary date of June 28, 2016 stating that lessees do not have the same rights as owners.
4. Lessees are at the mercy of VW. I keep making payments and do not build equity so VW has a lot to gain to drag their feet so I make more payments and gain nothing from it. I should be entitled to full refund of all payments made after the settlement was preliminarily approved on June 28, 2016.
5. I purchased the maintenance program from Audi at a cost of approximately \$800 for 3 years or 45,000 miles. The settlement agreement should compensate me for \$800.
6. Since I was going to purchase the car at the lease end, I had the dealer install clear wrap on the entire front end. The settlement does not provide compensation for this expenditure.
7. Since I was going to purchase the car at the lease end, I should not be penalized for mileage since I am forced to an early termination. The settlement also deprives me from selling my car in the market to avoid mileage fees since its value has diminished considerably. The diesel scandal has eliminated my other option to avoid mileage fees which is the ability to sell my car anytime during the lease.
8. I just paid my DMV fees of \$350. The settlement does not have provisions to refund DMV fees.
9. The settlement agreement arbitrarily places a 71% value on my car. As stated, I leased my car July 24, 2015 less than two months from the public announcement of the scandal. I believe this two month period does not reduce the value of my car by about 30%. Since the two dates are so close, the value should be at 100%. Specially, when EPA and VW/Audi knew about the cheat device when I signed my lease.

Thanks

Saied Naaseh Shahry



From: Michael Shannon
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 11:18:28 AM
Subject: Proposed VW Settlement

I am the owner of a 2012 Passat TDI. I have reviewed the proposed settlement and have concerns with how the excess mileage is calculated and the amount deducted from the settlement value.

I average 2,500 miles per month on my car. But the settlement will use my future mileage and then subtract less than that to backdate where I was in Sept 2015. This lowers the value offered for a trade in and the cash settlement.

Based on the revised offer, I would not trade mine in. I would hope instead that enough owners keep their cars and force VW to make up the mileage deduction or pay the excess fees for not hitting the 85% threshold fixed or scrapped in three years.

Michael Shannon
[REDACTED]

From: John Shea
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 2:18:14 PM
Subject: 2009 Jetta TDI owner's comment
Attachments: VW-Buyback 6-28-16.pdf

To Whom It May Concern,

I am taking this opportunity to comment on the proposed settlement for VW TDI owners.

I have a 2009 Jetta TDI that I purchased new in 2009. I have owned the car since then.

I have two comments on the settlement:

1. From the information that I currently have available (see attached document), my buyback value is \$12,737 since I live in the Pacific Northwest (Oregon). I have seen slightly different numbers in other web posting, e.g. <http://www.cand.uscourts.gov/crb/vwmdl/proposed-settlement>. The buyback is the clean trade-in value as of September 2015 plus \$5100.

The clean trade-in value is essentially the wholesale value of the car. The retail value of the car, what I would pay if I were to have purchased it used from a dealer in September 2015, is pretty close to the buyback amount. Should I choose to have my car bought back, it will cost me almost the entire buyback amount to purchase an equivalent car. Plus, I have to go through all of the hassle and risk associated with buying a used car.

Bottom line, I view the buyback amount to be, at best, marginally acceptable, does not provide any real owner "restitution" and puts the burden on me to find a equivalent replacement.

Caveat. As far as I can tell, the dealers have been left out of the conversation. Once the agreement is approved, I hope to see that the VW dealers are actively working to assist owners in this process. I have not seen anything about the dealer's role in this process and how they will assist me through it.

2. It is my understanding that it can be as late as May 2018 until a modification has been approved to bring my car into compliance. And, it is possible that my car can't be brought into compliance. It is likely that the modification will be extensive and will adversely affect the performance of my car. What I will not know is what that effect will be. Should I chose to have the modifications made and then, after driving the car, find them to be unacceptable, I propose that VW should have to offer the option to buyback the car at the settlement price. As I read the summaries, I "may" have the option; it should be I "will" have the option.

Thank you for your work in reaching a tentative resolution. Please let me know if you have any questions concerning my comments on the proposed settlement.

Thanks,

John Shea


From: Gery Sherman
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 1:44:56 PM
Subject: My comment on the VW diesel settlement

To Who It May Concern:

I have one problem with the VW diesel settlement:

Why does this trade-in value proposal exist when it clearly contradicts the agreement laid out in the 225-page Partial Consent Decree posted on the FTC's website that, in part, reads:

IV. PARTIAL INJUNCTIVE RELIEF A. Buyback, Lease Termination, and Vehicle Modification Recall Program (Appendix A) 9. Settling Defendants shall implement the Buyback, Lease Termination, and Vehicle Modification Recall Program in accordance with the requirements set forth in Appendix A as one element of the remedy to address the Clean Air Act and California Health and Safety Code violations. 10. Settling Defendants shall remove from commerce in the United States and/or perform an Approved Emissions Modification (as described in Section IV.B) on at least 85% of the 2.0 Liter Subject Vehicles as set forth in Appendix A. Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle **the option of the Buyback of the Eligible Vehicle at a price no less than Retail Replacement Value**, or the Lease Termination in accordance with the terms specified in Appendix A.

The key being the bold/underlined text.

How is trade-in value the same as “no less than replacement value”?

Can anyone explain this to me?

I'm not particularly happy with this settlement.

Gery Sherman

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 12:06:54 AM
Subject: I own a VW TDI and this is not right.

Hello,

I am an affected person by the VW TDI scandal and I have something to say:

I think the settlement does not favor consumers very well. They cheated and lied and what do I get? Barely from out under my loan if I do the buy back...that's not a punishment that the consumer can relate to. I don't see justice in that. Then furthermore, if my car can even be fixed - a 2010 Jetta Sportwagen which isn't likely - I get \$5100. So in the past months since the scandal broke not only did I lose thousands of dollars in value, but I was lied to and cheated AND I am suspected to lose mpg and performance. How is that in favor of the consumer? I barely get restitution on the loss value but nothing in compensation for being blatantly LIED to. Then the loss in value of the lower mpg rating and performance, this car isn't a sports car and can't really afford to lose much more power. Sure the torque is nice but it has as much horsepower as a Honda Civic. None of the numbers add up.

I bought this car mainly for its diesel power plant: I love the fuel efficiency and power output that can be achieved with diesel and VW proclaimed they made a clean way to get all that in a passenger car and here I am biting at it like a fish to a lure.

I think this is totally giving VW a pass. If they are going to do a buy back it should really make the consumer happy about it. If they are able to fix, they should also be really happy about it. I am not happy with either of the choices I am afforded. Is this how things are? People do the wrong thing and just get kinda get away with it? Brings to mind a certain political in the news.

Thank you,
[REDACTED]

If you do respond to any comments I would appreciate anything you have to say. Please do not use my name in any medium of media until and if we do speak. I want to know how my writing would be used. Thank you.

Sent from my iPhone

From: Blair Shock
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 10:21:09 AM
Subject: Comment re: U.S. v. Volkswagen Group of America, et al.

Good Morning,

I am an affected owner of a VW car involved with the suit. My comments follow:

I do not believe the proposed settlement adequately compensates owners of affected vehicles. I believe the proposed settlement significantly decrease VW's financial obligations in making owners whole, and in compensating them adequately.

The proposed decrees do not adequately compensate owners of affected vehicles. The decree specifies Clean Trade In value as the measure in determining value of the affected vehicle. Had I attempted to sell my vehicle prior to September 2015, I would have easily sold it for private party or clean retail value as listed in the NADA guide, or even more.

Furthermore, the intent of the decree is to determine value of the vehicle based upon it's mileage in September 2015, it does this based upon current mileage with a mileage allowance of 1024 miles per month for the months between September 2015, and the month the value is being determined. This method of measure is unrealistic, and significantly improves VW's position. The average VW TDI owner drives well in excess of 1024 miles per month, and the value of the vehicles have historically been affected very little by high mileage. In fact, VW has marketed TDI vehicles by highlighting their longevity, very favorable highway fuel economy, and lessened environmental impact, further perpetuating VW fraudulent activity. As an adequate remedy, owners should be compensated equally based upon model make, year, and trim, with no consideration for mileage, and compensation should be based upon the original purchase price of the vehicle.

The proposed settlement requires vehicles be returned in operable condition, thus eliminating compensation from owners who are involved in a motor vehicle accident since the fraud became public. This is unacceptable. Owners should be compensated based upon original purchase price of the vehicle. If an owner's vehicle was involved in an accident where the vehicle was a total loss, VW should compensate the owner for the difference in monies received from their insurer, and original purchase price, plus monetary damages in accord with the the monetary damages portion of the settlement.

Most Sincerely,

Blair Shock


From: Jeremiah Sholes
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 5:21:35 PM
Subject: Proposed VW Diesel Buy Back Settlement Contention

Dear Assistant Attorney General,

I am an owner of a fraudulently sold 2015 VW Jetta TDI SE and I purchased this car brand new on August 27th, 2015. I want to emphasize that this purchase was not taken lightly or in a rash matter and in fact I waited over 10 years driving used worn down cars in the attempt to save and be frugal. After substantial thought and research I finally decided I would get the diesel as it was touted as clean; the new model had a range of 667 miles and advertised 45mpg on the highway which was appealing to me for my job required driving long distances.

After only 22 days of having the car the news broke of the scandal and the terms which my contract was based was revealed to be a lie; and here we are almost a year later – the proposed compensation for buybacks is out but I find myself scratching my head wondering why am I and the others in the group of 67,000 who purchased a brand new 2015 model car now being encouraged to take buybacks which start off by offering us a depreciated value of nearly 30% for our cars plus a “restitution” of 20% of that amount since no accurate clean trade in value history existed for these new cars as of September 18th 2015.

I believe the legal team representing this settlement has been doing a great job; however I think considering the false pretenses under which myself and many others entered into these contracts with VW - we should not be taking a loss of 20-25%. I believe we should at the very least be getting an amount equal to all that we paid out between the buy back and restitution payments and that the depreciation calculation may come out fair for some with the older 2009 cars who were able to use them many years and for many thousands of miles but for someone like myself and many others in the 67,000 who have the newest models – it just does not sit well that we lose 4,000 to 5,000 for VWs misgivings. Aside from this loss; I am facing the dilemma of figuring out what to do if I accept the buyback as it is proposed since I will be losing nearly \$5,000 as of today from what my costs were and my credit is negatively affected by securing the loan for this car making it even more difficult to replace it. Couple those issues with the fact that many want to replace these cars with hybrids or electric cars and it is a deeper burden considering the additional upfront expenses that those options pose.

In summary; I implore you to reconsider the calculation being used to value the newest TDI models and ensure that it reflects more fairly the compensation for all of us afflicted by this crime. Typically it is commonly accepted that new cars will lose 15% when you drive them off the lot and having the buyback and restitution based on that typical amount would seem more justified however; the current number sitting at nearly 30% depreciation for these almost new cars is just not right and I believe it lets VW off too easy.

Thank you,

Jeremiah Sholes

From: jeshorett
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 6:11:15 PM
Subject: VW should refund the cost deisel owners paid

Dear USDOJ:

The current offer of compensation to VW deisel owners is not only inadequate, it appears to put those of us who have been the most directly damaged by this fraud at the back end of the line for compensation vs at the front. In place of the proposed settlement, I want my money back.

I bought my VW TDI Jetta in 2009 ☆specifically☆ because of its clean deisel claims and the long expected life of deisel engines.

The current settlement does not reflect the cost of my being made an unwilling participant in fraud. I have a PhD in Natural Resource Management and take health-based clean air standards seriously. I am appalled that my effort to 'walk the talk' on clean air by paying more for the deisel engine has in fact caused more damage.

The current settlement does not reflect the cost of my time, hassle, and expense in very probably having to buy a different car. My 2009 vehicle has only about 35,000 miles and could well have lasted another decade. I live on a small pension and Social Security so having to pay for a different car because of this fraud is a direct hit to my quality of life. Never mind the value of my time, effort and good humor for transaction costs involved in making an involuntary change.

In place of the proposed settlement, I want my money back. I wrote a check for the price of my car. My check was good. The car was not. I want my money back.

Whatever value there was in use of the car is the price VW should pay for its fraud. I understand that refunding what owners paid for their deisel cars is a heavy burden. To do otherwise, however, is perilously close to the moral hazard of defrauding customers becoming just another cost of building market share.

I understand that there are lots of snouts in this trough. But if the settlement puts owners, the most directly injured parties, at the front vs back of the line for compensation, I feel that refunding what we paid is the fairest approach.

Please let me know if further information such as the purchase price or VIN# of my car would be useful.

Respectfully submitted
Jean Shorett, PhD

Sent from my T-Mobile 4G LTE Device

From: Bruce Silverberg
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:25:09 PM
Subject: Comment on Volkswagen Partial Consent Decree from a Golf TDI Owner
Attachments: VW Consent Decree Comments.pdf



August 5, 2016

Mr. John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

As the owner of a 2012 four-door VW Golf TDI, I commend all parties to the Volkswagen settlement for their commitment to what is, by corporate malfeasance litigation standards, a rapid resolution of this case that attempts to provide appropriate restitution to the many victims of this egregious deception.

As I entered the information on my vehicle into Volkswagen's recently available online claims system, I was relieved to find that the compensation I'd receive for my car goes a long way toward making me "whole." Although I shall give due consideration to the modification option if it wins approval and is shown to have minimal impact on the real, on-the-road performance and fuel efficiency of the car, I will most likely opt for the buyback. It is regarding the latter that I wish to express a concern.

While nearly all the attention in this case has rightly focused on issues surrounding the emissions and fuel economy of the 2.0-liter diesel engine, those were not the only considerations that induced owners such as myself to pay the significant cost premium for the diesel over the gasoline version of the car. While I was led to believe I was making a reasonable ethical decision with respect to using less energy and adding less CO₂ to the atmosphere, diesel engines are also known for their greater long-term durability.

When I was deciding to purchase a new car in 2012, it was with the expectation that I'd be driving this vehicle for many, many years, especially given my pattern of low annual mileage: roughly 5,000 miles per year. If one can assume 200,000 miles as a reasonable life span for a modern vehicle, especially here in coastal California's benign climate, I'd have to drive the car for 40 years to hit that mark! While I, at age 62, don't expect to live that long, and certainly not to still be driving, I was thinking of this purchase as at least a 15 to 20-year investment, whereby the excise taxes one pays at purchase, the high depreciation one incurs in the early years of ownership, and the initial extra cost of the diesel option effectively get amortized over the presumed long life of the car.

The facts of my particular situation bear this out. I purchased my Golf TDI on May 5, 2012. As of today, my odometer reads 20,812 miles, after exactly four-and-a-quarter years of ownership. When properly washed and detailed, the car is immaculate.

Moreover, my lifelong pattern of car ownership, which is characterized by low annual mileage and keeping my cars for many years, is entirely consistent with the logic behind my Golf TDI purchase. To wit, I bought my first new car, a VW Rabbit, in 1976 and kept it until 1988. Then I purchased a used 1983 Alfa Romeo and held it until 2002, adding very few miles in those 14 years. When I moved from New York to California in 2002, I bought a used 1987 VW Jetta, which I owned until 2012, when I traded it for my current Golf TDI.

The concern I raise here is thus not an attempt at profiteering from this sad situation. Rather, it reflects nothing more than my wish to truly be made whole again, to have suffered no damage as a victim of someone else's cynical fraud.

While the terms of the current buyback offer appear to address the depreciation aspect quite well, I'm not sure the same can be said for the couple of thousand dollars in excise taxes I paid, taxes I'll have to pay all over again if I purchase a comparable new vehicle, as I would expect to do. In addition, I will again have to absorb the depreciation on that new car, as well as incurring higher insurance premiums and vehicle registration fees.

As the Justice Department and courts finalize the terms of the settlement, I hope they will give due weight to the points I have raised and make certain the settlement is truly fair for us owners.

Thank you for your consideration.

Sincerely,

Bruce A. Silverberg



[REDACTED]
August 5, 2016

Mr. John C. Cruden
Assistant Attorney General
Environment and Natural Resources Division

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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While nearly all the attention in this case has rightly focused on issues surrounding the emissions and fuel economy of the 2.0-liter diesel engine, those were not the only considerations that induced owners such as myself to pay the significant cost premium for the diesel over the gasoline version of the car. While I was led to believe I was making a reasonable ethical decision with respect to using less energy and adding less CO₂ to the atmosphere, diesel engines are also known for their greater long-term durability.

When I was deciding to purchase a new car in 2012, it was with the expectation that I'd be driving this vehicle for many, many years, especially given my pattern of low annual mileage: roughly 5,000 miles per year. If one can assume 200,000 miles as a reasonable life span for a modern vehicle, especially here in coastal California's benign climate, I'd have to drive the car for 40 years to hit that mark! While I, at age 62, don't expect to live that long, and certainly not to still be driving, I was thinking of this purchase as at least a 15 to 20-year investment, whereby the excise taxes one pays at purchase, the high depreciation one incurs in the early years of ownership, and the initial extra cost of the diesel option effectively get amortized over the presumed long life of the car.

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The concern I raise here is thus not an attempt at profiteering from this sad situation. Rather, it reflects nothing more than my wish to truly be made whole again, to have suffered no damage as a victim of someone else's cynical fraud.

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As the Justice Department and courts finalize the terms of the settlement, I hope they will give due weight to the points I have raised and make certain the settlement is truly fair for us owners.

Thank you for your consideration.

Sincerely,


Bruce A. Silverberg

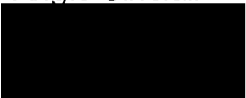
From: Angie Sinclair
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/29/2016 9:29:36 PM
Subject: Volkswagen TDI Settlement

Honorable Judge Charles Breyer,

I am writing to you today to voice my concern as a current owner of a 2014 Passat SE TDI I4. We are now able to see the buyback offer that was settled upon on July 26, 2016, and to say the very least, I am not happy. I feel that we should be compensated for the total amount we purchased the vehicle for. The NADA uses zip codes for evaluating the cost of the vehicle, and not the region which was stated in the settlement documents. In addition to being reimbursed for full price we paid for cars, we should receive the full amount of restitution (without going into the loan forgiveness if we owe more than what they are buying it back for). They misled consumers, defrauded us, and lied for years about their "clean diesel" technology. Now that we have to get new cars, because I don't want to continue polluting the world until a "fix" is available, I am having to reallocate funds in my budget for purchasing gasoline on a weekly basis. Right now, as a TDI owner, I only have to fill up every other week. I have to drive 50 miles round trip to my job, and having the TDI made sense. I traded in my 2011 Toyota Tundra for this car because they sold us on the "clean diesel" hype, the awesome mileage I would get with it, and the safety ratings of the car (I won't get into the airbag recall that's not being done). I just hope that between the now and the time it comes to turn the car in that I do not get into a wreck. I don't want to lose any more money that I'm owed because of the decrease in value of the car (insurance won't go back to pre-scandal value) and the airbag containing metal shards that could possibly kill me.

Please reconsider the settlement, and help us with being righted the wrong VW did to us.

Kind regards,
Angie Sinclair



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/16/2016 1:50:20 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

As a Class Member (VW TDI, VIN: [REDACTED]), I object to the proposed Settlement in VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTICES, AND PRODUCTS LIABILITY LITIGATION, MDL No. 2672 CRB (JSC) and D.J. Ref. No. 90-5-2-1-11386.

My objections are as follows as a member of the class:

- Lots of members of the class originally had no intention of selling or trading in their car. Yet now they are effectively being forced to part with their car. This is because it is unknown if there will ever will be an approved "fix" for the vehicle and we don't know if certain States will deny registration if a member of the class opts out of the class all together. Therefore it is apparent that most members of the class will opt for a buyback and will need another car after the buyback. Unfortunately you cannot buy a car at NADA "clean trade-in" that the Settlement is based on, you'd have to pay retail cost. Therefore, I recommend that buyback figures be adjusted to be based at NADA "clean retail" value as of Sept 2015.

Another concern for members of the class is that in most States if they were actually to trade-in their car, they wouldn't have to pay a sales/use tax on the trade-in value portion of the transaction. These lost savings are not accounted for or addressed in the proposed Settlement. Additionally members of the class opting for a buyback are in some cases being penalized with taxes, registration, and applicable fees at a sooner frequency then most American consumers of cars. Studies have shown that American's are increasingly holding onto vehicles longer and the average age of most vehicles on the road today is over 11 years old. The oldest vehicle model in the buyback is a 2009 model which is only 7 years old, and members of the class who recently purchased a 2015 model year vehicle will unfortunately incur the greatest cost of taxes and fees as a result of this not being addressed in the proposed Settlement. Therefore, I recommend that clarification be provided on sales/use tax figures and whether it counts as a "trade-in" for tax purposes. Furthermore, the buyback amounts should be adjusted to compensate members of the class opting for a buyback to receive compensation for having to pay for taxes, registration, and applicable fees at a more frequent rate than the average American consumer.

Finally, vehicle accessories are not listed in NADA values and many members of the class are not fairly being compensated for additional genuine Volkswagen accessories they they purchased for their vehicle. In my particular case I purchased a Roof Edge Spoiler for \$500, MojoMats and Heavy Duty Trunk Liner with CarGo Blocks for \$235, Splash Guards (set of 4) for \$220, and a First Aid Kit for \$35. This total of \$990 dollars of Volkswagen accessories is not figured into the proposed buyback settlement amounts. Members of the class should not be penalized for purchasing genuine Volkswagen accessories for their vehicles.

I am aware of many more VW diesel car owners with similar sentiment and objections to these proposed Settlement terms. Your consideration in this matter is greatly appreciated.

Sincerely,
Trevor Siperek - 07/16/2016

From: Sipula, Ian
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 12:53:09 AM
Subject: VW TDI settlement

To whom it may concern,

I am an owner of a 2014 VW Jetta sportwagen TDI. I have been following the proceedings of this case very closely. I would like to submit my thoughts on the settlement that has been preliminarily approved.


The one aspect of the settlement that frustrates me and most other owners is the valuation method being used. I am not alone in believing that VW should be using the September 2015 retail value of the vehicles instead of trade-In value.

We are not trading these vehicles in for new vehicles. We will lose the tax advantage that comes with trading in a vehicle on a new purchase. In most states this amounts to thousands of dollars. I believe VW should compensate owners for this loss as well as amount paid for title, license plate, registration, etc.

If there is no amendment made I believe that many owners like myself will opt out of the offer and pursue individual legal claims.

Thank you for your time,

Ian Sipula



From: Kevin Slattery
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: mike.dewine@ag.state.oh.us
Sent: 8/5/2016 5:18:49 PM
Subject: VW settlement

I do not believe the proposed settlement calculation is fair.

The calculation is based on average wholesale, or trade-in value. This means the car is worth less than what will have to be spent to replace it with a comparable auto. Adding the loss of a tax advantage for trade-in creates a very significant loss for the owner.

In my particular case the value is based on 71.7% of MSRP, since I bought a 2015 Sportwagen SE. Since I bought it on May 30, 2015, that is about the most expensive 2.5 months of driving I can imagine.

Further, condition and mileage will make a difference on the final settlement. Bargaining from an already reduced value allows VW to retain the upper hand in negotiations.

The settlement should be based on **RETAIL** value. the calculation in the case of the 2015 models bought in 2015 should be 85% of MSRP at minimum.

Anything less than this proposal, which is fair consideration in light of the cost of a comparable replacement vehicle, let alone the deliberate deception by VW, practically forces me into joining a class action suit.

Kevin Slattery



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From: p Slovo
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 11:58:05 AM
Subject: Volkswagen Settlement Public Comments

To Whom it May Concern:

I purchased a used 2012 VW Jetta Sportwagen TDI just a few weeks prior to the news of the “diesel gate” scandal became public in mid-September 2015. Having been an owner of a grandfathered 2003 model TDI, I enjoyed extremely high mileage and a very fun to drive car. Two of the top reasons I purchased another VW to replace my 2003 were 1) I am a high mileage (20,000 miles per year) driver, most of which are highway miles; and 2) the switch to a “clean” diesel car as opposed to the grandfathered 2003.

Having read the proposed settlement breakdowns of buyback/compensation vs. fix/compensation, I offer the following comments:

- 1) No valid “fix” has, to date, been proposed for my year of the car; from what I have read, the 2009-2013 version of the TDI would be most difficult, if not impossible, to fix. Thus, it’s extremely difficult to weigh fix + compensation vs. buyback + compensation at this point. The actual fixes should have been proposed and accepted prior to release of the settlement options for public comment;
- 2) I find the “clean” NADA value from Sept 2015 to be a *relatively fair* method for determining base buyback; however, for individuals like myself – who purchased their vehicle right before the scandal (I purchased my vehicle in Sept 2015), I of course would prefer the *actual sale cost (prior to taxes, etc.) plus compensation*.
- 3) I find the proposed mileage adjustments to be unfair to high-mileage drivers. One of the sole reasons I purchased the car is because I am a high mileage driver, putting on average 20-25,000 miles per year on my vehicle. A diesel is *meant to be a high mileage vehicle because of the efficiency of the engine traveling at highway speeds*. Thus, using an “average” mileage of 12,500 miles per year is unrealistic for the *vast majority of TDI drivers*. I suggest changing this to 15,000 or 18,000 miles per year as the average yearly mileage expected on the vehicle before a mileage “penalty” is instituted.

Thank you for the opportunity to comment.

Regards,

Peter Slovinsky



From: Julie Small
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 1:44:21 PM
Subject: My 2013 TDI Jetta

I just wanted to take a moment to comment on the proposed VW diesel settlement. From what I understand VW will buy back my TDI for prescandal NADA value and that is fine. However, I owed more on my car than it was worth at that time. I have owned my car for 3 years and have been paying interest for the past 3 years. So, VW buys back my car plus the extra compensation. I will have to use money from the compensation to pay off the remaining value and then I am still without a car? If I purchase a new one then I still have to get it financed and I will still be paying interest again. That's if I can get financed again. We have had some pretty significant life changes [REDACTED]

[REDACTED] I'm not sure with that and the loss of income I could get another car. So in the end I feel like I'm getting the short straw. I bought my TDI Jetta in good faith believing because it was a diesel it would last longer than other cars. If I chose to keep my car and have VW "fix" the car, I have no guarantees there either. Again, I draw the short straw. I'm all for a settlement but VW should have to refund the full purchase price of my car. I would never have bought it if I had known it was a dirty diesel. If I buy something from Walmart and it is not what I expected, as long as I have the receipt I get a full refund. How is this any different? Thank you for your time.

A concerned TDI owner,
Julie Small

From: Brandon Smith
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/15/2016 9:29:32 PM
Subject: Comment about compensation for non-removable upgrades to vehicles


Hi,

I am an owner of a 2013 VW Jetta Sportwagen TDI. Since purchase we have performed a multiple costly upgrades to the vehicle that we cannot easily remove or recoup the value on. I feel that there should be a provision in the settlement to compensate owners for upgrades that they can substantiate with proof of purchase that were made in good faith to the vehicle that they thought they would own for many years. By no fault of my own I now am in a position to have my vehicle bought back or accept a final condition that is different from what was marketed and sold to me. I should not be further penalized by the loss of accessories I purchased and installed in good faith. For many of the upgrades I would have to pay to have them removed if I wanted to recoup any value at all, and once removed I would find it difficult if not impossible to actually recoup anything near what I paid.

In my case I have purchased and had the following installed on my car:

1. Installation of high quality window tint for ~ \$500
- This is worthless and a 100% loss of value if removed, or the car is sold
2. Installation of optional VW backup cameras for ~ \$400
- This is very labor intensive to remove, and even after removal will have a diminished value, and to me as an owner will be worthless to me since i will no longer own a VW vehicle.
3. Installation of optional fog lights for ~ \$250
- This is very labor intensive to remove, and even after removal will have a diminished value, and to me as an owner will be worthless to me since i will no longer own a VW vehicle.
4. Installation of cosmetic exhaust tips for ~ \$50
- A worthless investment if I no longer own a VW vehicle
5. Installation of VW factory window sun shades for rear windows for ~ \$50

So while I appreciate the buyback offer and good will cash compensation, as an owner I have invested an additional \$1250 into my vehicle, which I will lose if the vehicle is bought back, and i will receive no additional compensation for it. Many VW owners are enthusiasts and have invested many dollars beyond their original purchase into their cars. Another example is that of a xenon headlight upgrade which along VW charged over \$1000 for as an aftermarket accessory. There needs to be a provision for owners to claim additional compensation for these types of accessories and upgrades that are beyond the standard ones listed (power windows, sunroof, navigation), especially when they are not removable, or would cost additional shop labor to remove (just to have to sale it for a fraction of what was originally paid).

Thanks,
Brandon Smith


From: Charlie Smith
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 6:46:14 PM
Subject: Comment for Proposed VW Diesel Settlement

Dear Sir:

I am an owner of one of the affected VW TDI automobiles and have reviewed the proposed settlement. I wish to object to that aspect of the settlement concerning how mileage is estimated for adjustment of the automobile's value.

The current proposal requires owners to enter their current, true mileage and then use a formula to calculate a theoretical mileage of the vehicle in September 2015. This formula reduces the current mileage at a rate equal to the average annual mileage for vehicles in the US.

Many of us drive at rates much higher than the national average of 12,000 miles per year (1000 per month). Our cars absorb additional depreciation due to this higher rate. When calculating the theoretical September 2015 mileage, we adjust our current mileage by the national monthly rate and not at the increased rate our cars actually incur. This has the effect of leveling a second depreciation to our cars for the purposes of the buyout as the calculation arrives at a mileage higher than our cars actually had in September 2015.

I would like to propose the theoretical mileage our cars had in September 2015 be determined by one of three different methods.

1. Actual miles on the vehicle as determined by maintenance records or some other verifiable means.
2. Those of us who accepted the Goodwill Package had our mileage confirmed at a VW dealership as part of the acceptance. It should be possible to determine the mileage difference between that reading and now, then divide by the time to arrive at an average mileage rate per month. Use that rate to calculate the theoretical September 2015 mileage.
3. Take the number of months since delivery of the car and divide it into the current mileage to get an average miles per month. Use that factor to calculate the theoretical September 2015 mileage.

Thank you for your consideration in this matter.

Charles T. Smith



From: Kathryn Smith
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/2/2016 2:41:19 AM
Subject: Settlement Comment

To Whom it May Concern,

I am the owner of a 2009 Jetta TDI. I have a comment regarding the settlement. Owners should not be paid the "trade-in" value of their cars. We are NOT trading in the vehicles - we are selling. I could not buy a comparable car for the "trade-in" value of the vehicle.

Kathryn Smith



From: Rod Smith
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 3:05:53 PM
Subject: Proposed settlement for VW diesel emissions violations

To whom it may concern:

I, Roderick W. Smith, am the owner of a 2015 VW Golf TDI (██████████) registered in the state of ██████████ with plate number ██████████. I've reviewed the details of the proposed settlement with Volkswagen (VW) over its violations of 2.0-liter diesel engine emissions standards, particularly with respect to owner compensation. In broad strokes, I consider the proposed settlement to be fair; however, I believe it could be improved. Two points in particular are of concern to me personally, both relating most strongly to the "buyback" option:

New-vehicle depreciation

When I buy a new car, I expect to keep it for several years. The first new car I bought was a 1992 Saturn, which I kept until it died 16 years later. Its replacement was a 2008 Chevrolet Aveo, which I kept for seven years. I expected to keep my Golf for 5-10 years. Thus, if I take the buyback offer, I will have kept the car for much less than my expected ownership period. Even with the penalties applied on top of the NADA values, I expect to receive \$27,262 for my car, which is \$2,948 less than the \$30,210 (including tax and title) that I paid for the car. Although this is far more than I could obtain for the car in a regular sale today, the depreciation means that I'll have to take a small step down in car quality to replace the vehicle with a new one. Granted, I will have had about two years' use of the car in the meantime; but compared to the \$7,033 I would receive as compensation should I have the car repaired, that's a hefty price to pay.

Remember that I (and probably most other owners of recent model year vehicles) would not normally be considering replacing a car so early, so expecting us to swallow the depreciation costs is unfair. For older cars, of course, this isn't as significant a factor; the owner of a 2009 model might have been considering trading in by now, or might have bought the car used, after the initial depreciation hit.

Remember, too, that those of us who bought new cars did so for a reason, despite knowing about the rapid depreciation of cars in their first year. I personally did so because I expected to own the car for a long time, thus spreading depreciation over a long period; because I can be certain that a new car was not sold by a previous owner because it was troublesome; to get the latest in new technology; to be certain that all routine maintenance is performed properly; to get the full benefits of a new-car warranty; and because I could order exactly the car I wanted rather than be limited by what's available in the used marketplace. All these issues come into play in finding a replacement vehicle; so, although I could take the buy-back money and buy a used 2015 car and still have something on the order of \$7,000 left over, I would lose some of those benefits.

Although I bought my car in January of 2015, I feel particularly sympathetic to somebody who might have bought a TDI just before the scandal broke in September of that year. For a less-expensive purchase, such as a television, an equivalent scandal would have resulted in recent purchasers returning the products to the store for a full refund, not a refund of about 90% of purchase price, as in my case.

Instead of the current calculation, I suggest that owners of 2015 (and maybe 2014) models who bought their cars new be granted the option of using original purchase price instead of the NADA values. As with the NADA calculation, the value should be adjusted upwards, as outlined in section 5(a) of the "Settlement Benefits to Class Members" section of the proposed settlement. A downwards adjustment based on mileage or the number of days the vehicle was owned before the scandal broke would be reasonable.

Vehicle options not considered in setting the buyback price

The NADA value for my car includes a downward adjustment of \$810 to the vehicle's value because my car is equipped with a manual transmission. This is fair enough, since the car cost less than an automatic-transmission vehicle. What is NOT fair, however, is that my car is equipped with two pricey options that are not mentioned in the NADA guide: the Lighting Package, at \$995; and the Driver Assistance Package, at \$695. (The car also had about \$450 of lesser options such as all-weather mats, but I'm willing to ignore those.) Thus, if I accept a buyback, I'll receive the same amount as somebody who did not purchase these pricey options -- and VW will most likely be able to sell my car for significantly more because of their presence.

Another way of looking at this is that I've paid \$1690 for options that I will have used for just two years, should I take the buyback. This is an out-of-pocket expense for me that will not be reimbursed under the proposed settlement. Although these options seemed worthwhile when considered over an expected 5-10-year ownership period, I would never have paid \$1690 for the options had I known I'd only own the car for two years and that I'd get no money back to compensate me when I ultimately sold or traded in the car.

This issue would evaporate if pricing were done based on original purchase price, as suggested earlier, since the price of these options would be included in the original purchase price. Alternatively, it could be corrected by including big-ticket options that are not included in the NADA guide in the settlement's pricing tables. To be sure, doing so could become an accounting nightmare should everything on VW's options sheets be included, so a lower-limit cutoff (perhaps \$500 or so, based on original sticker price) should be applied.

This same issue, of course, affects all model years; but because of depreciation, it's likely to become less important for older models.

Buyback vs. Repairs

The preceding issues don't greatly impact the proposed payments for owners who have their cars repaired rather than bought back. The repair payment is, presumably, intended to compensate for negative impacts on performance, fuel economy, and reliability; and to compensate for owners' time and frustration. It's hard to argue that these factors are greatly influenced by rapid first-year depreciation or the presence of costly options not included in the limited NADA guide.

Note, however, that the decision of having a car repaired or bought back is one that every owner will have to make based on individual circumstances and the nature of one's feelings about the scandal. Compensation should be fair in either case, and should not, in my opinion, be structured in a way to encourage particular classes of owners to take one option vs. another. The way the proposed settlement is currently structured, owners of the newest cars (at least, those who bought them new) are likely to find the buy-back option much less appealing than the repair option, at least in the short term. If we take

the repair option, we're left with a gamble: How bad will the side effects be, and what will be the effect on depreciation moving forward? Providing a better buy-back option would make it easier for us to avoid taking that gamble.

Summary

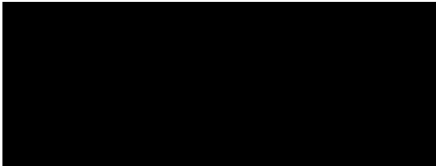
I'm pleased that VW's transgressions are being taken seriously by the Court. Too often, I hear of serious corporate malfeasance that's punished by a "slap on the wrist" fine. I believe that the proposed settlement is of the right order of magnitude to punish VW, while providing relief to owners for probable loss of performance, reduction in fuel economy, degraded reliability, and possible future steep depreciation should they accept the repair; and to make it possible to receive fair compensation to owners who don't want to risk these issues, or who simply want nothing more to do with VW as a corporation.

Although the proposed settlement is a good first approximation, I believe it can be made more fair to individual stakeholders by tweaking the adjustment amounts as I've outlined above.

Note also that other owners have other concerns. In particular, on the www.tdiclub.com forum, many owners of high-mileage vehicles feel that they're not being fairly compensated because of the mileage adjustments. I'm not being badly affected by this (my car is low enough in mileage that my mileage adjustment is likely to be positive), but I understand this concern and wish to explicitly acknowledge it here; but I'll allow others to make their case on this score.

Thank you for considering my comments. If you need to contact me, I can be reached at:

Dr. Roderick W. Smith



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Dr. Roderick W. Smith



<http://www.rodsbooks.com>

From: nora somer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/16/2016 2:14:50 PM
Subject: VW settlement comments

I have a 2009 VW TDI Sportwagen.

Option 1. I want VW to buy my car back at the price I paid for it. I don't need any further compensation for the deception over the past seven years.

Option 2. Giving me trade-in value is BS. I want the actual retail value of my car. Also, the extra compensation is BS. I have been using the car the longest, so I want the most compensation for being lied to, not the least.

Reasoning:

1. The only reason I bought the car over a Subaru is for the clean diesel engine. I would not have bought the VW otherwise. Therefore, I want my money back and VW can have its car back.
2. If VW is going to buy back my car, it should give me the full value, not a lesser trade-in value. If VW won't give me my full purchase price back, then at least I want its full value back.
3. The additional compensation is for what, exactly? If it's for being lied to, then those of us who have been lied to the longest should be compensated the most, not the least. Why should someone who has only had a car for a year or two get more compensation than someone who has had a car for seven years? This makes no sense.

I hope you adjust the settlement to be more fair to the consumers who have been duped by Volkswagen.

Thank you,

Nora Somer

From: Chris Sorensen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 8:10:08 PM
Subject: comment re VW settlement: extended warranty

Dear Sir or Madam:

In September 2013 I purchased a 2013 Volkswagen Jetta Sportwagen TDI, which means I am part of the class of affected diesel owners. I intend to participate in the buy-back program.

VIN # is [REDACTED]

The standard warranty on the car offered by VW is 3 years/36,000 miles. At the time I purchased the vehicle, I determined to purchase an extended warranty for 60 months/60,000 miles. I never would have purchased this warranty had I known that 2 years after my car purchase the diesel scandal would become public and I would be turning my car in after 3 years. I should be fully refunded for all monthly payments related to such warranty, as should all similarly situated owners who purchased an extended warranty.

The total price for the car including the warranty was \$28,444.80 and I received a 60 month loan at 0% with a monthly cost of \$474.08. This includes the cost of the 60 month/60,000 mile warranty. I am still trying to determine the portion of the monthly charge that represents the warranty - I believe it was somewhere in the neighborhood of \$40-50/month. In any event, I and all similarly situated VW diesel owners should receive a dollar-for-dollar credit for all monthly payments in respect of such warranty as I never would have purchased it had I known the facts.

Thank you and best regards,

Greg Kraus and Chris Sorensen
[REDACTED]

From: Sarah F. Spiegelhoff
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 10:17:22 PM
Subject: Comments regarding proposed VW TDI Settlement

To whom it may concern:

I own a 2013 VW Jetta TDI, VIN # [REDACTED], which I purchased brand new from Burdick VW in Cicero, NY on March 21st 2013.

I have numerous objections to the proposed settlement(s). I primarily object to the date and valuation method used to compensate owners. Secondly, I object that the settlement does not make provisions for additional losses due to the settlement's payout structure (primarily the in-ability to reduce the taxable value of a replacement vehicle purchase). Thirdly, I object to any settlement that moves forward without agreed and approved fixes being available being available for all of the affected vehicles at the time of the settlement approval.

VW cultivated a deceptive marketing campaign that went on for over half a decade before they were caught. In fact, even after news of the scandal broke in September of 2015, VW Clean Diesel television commercials were still playing. VW's deceptive and manipulative marketing strategy included statements that were designed to appeal to the individual characteristics I look for when I was shopping for a new daily driver in late 2012 and early 2013. I still have some of the VW dealer advertising literature, like their glossy 2013 Jetta brochure, that states the numerous advantages of VW's diesel technologies all while being backed by a legacy of high quality German engineering. And your VW will be fun to drive! Because that is what you're (supposed) to get with a modern VW diesel: great fuel economy with very clean emissions, along great engine performance in a nimble vehicle platform. VW marketed their TDI's to eco-conscious consumers that didn't want to deal with the negative attributes of hybrid cars, namely their less than stellar performance, driving range limits, and reputation for only providing good economy when driven in a very conservative manner.

VW sucked me in. I wanted a European car, I wanted it to have more performance and be more fun to drive than my previous American car (a dreadful Ford Focus). And I was going to get vastly better fuel economy than my Ford Focus. I never thought the emissions wouldn't actually meet legal standards. After all VW not only built an entire marketing campaign about their Clean Diesels, they were bragging internationally about the technical achievements they've been able to make that other automakers couldn't match that allowed them to meet these current emission standards.

Even my husband, who is an automobile drivetrain engineer, had jumped on the TDI bandwagon and was backing my choice to purchase this car. He reviewed all of the available technical content on the car, including the published torque and horsepower curves, and technical bulletins on the EA189 engine and its operating and emissions systems. He was encouraging me to make this purchase. And why should I doubt my husband's advice, he is the biggest automobile expert I know! His idea of fun is sitting in front of a computer designing engine parts and looking up material and heat treatment specifications.

VW lied to the world. This wasn't a USA only problem. VW lied to everyone about the capabilities of their current TDI engines. They lied in their brochures and commercials. They lied in their technical publications and during international conferences where touted their (not-so) magic solutions to diesel emissions problems that were going unsolved at other automakers. VW lied to all of the dealers, world wide, that were unknowingly selling cars that didn't meet emissions standards. Not only didn't they meet emission standards, the car's featured software to specifically cheat and get around emission standards! It is on thing to outright ignore a standard, it is much more deceptive to engineer your way around a standard by restoring to technical chicanery.

VW lied to me for months and their lies resulted in convincing me to purchase my Jetta in March of 2013. When someone lies to you in order to get you to buy their product, that is called fraud. The crime that VW committed against me occurred on March 21st 2013 when I signed a purchase contract for my car. VW took my money for a product that wasn't what it was promised to be.

So why am I now being offered a vehicle valuation from September 17th 2015?

Not only do I object to that date being used for the vehicle valuation, when the 450,000 cases of fraud took place prior to that date, I object to the settlement value for the cars on that date.

And what is the valuation standard? Is it clean retail or clean trade in? The FTC Consent Decree stipulates Clean Retail. The proposed class action settlement stipulates Clean Trade-In for those customers who wish for VW to buy back their cars. Clean Retail is a higher valuation than Clean Trade-In. Let me be clear about this. VW is buying back these cars. So why would any settlement be based on a clean trade-in value? The words Buy Back are contradictory to the words Trade In.

The final settlement should compensate original owners for exactly what they paid for their car in addition to the restitution value. The purchase price of my 2013 VW Jetta was \$26,012.10. Because I financed a portion of my purchase, the total amount I will end up paying for my 2013 VW Jetta will be \$27,900.64.

The proposed class action settlement figure for clean trade-in value of my car won't come close to making me whole or even getting me into a new car that is equivalent to my Jetta.

Original owners should be compensated the original purchase price of their cars. As it was on this date that VW entered into a contract to provide that those owners with cars that were supposed to be fully legal with regard to meeting emission standards with all of the fun performance and excellent fuel economy that VW promised with the cars as well.

Additionally, if the settlement does move forward with a trade-in value being used, sellers will be victimized again when it comes time to purchase a replacement vehicle. In most states, including here in NY, when you trade-in a vehicle towards a new vehicle, the price of the new vehicle is lowered based on the agreed trade-in value of the other vehicle. You are then only charged sales tax on this adjusted difference. In Onondaga County NY, my home county, I pay 8% sales tax on vehicle purchases. I wanted to purchase a new vehicle with a price of \$25,000, I would pay \$2000 in sales tax on that purchase. However, if I were able to actually trade-in my VW Jetta at the "clean trade-in value" of approximately \$15,000, then the adjusted sale price for the new car would be reduced to \$10,000 and I would only have to pay \$800 in sales tax.

So not only is the trade-in value not a fair valuation, individuals selling back their vehicles to VW for this trade-in valuation sum, don't even get the tax benefits that come with normally trading in a vehicle at a dealership towards another vehicle. As I said, we get victimized yet again.

What about the fix? Well, I simply don't trust VW to engineer a reliable fix that doesn't significantly impact the fuel economy and performance of the vehicle. And I say this from experience. Some of the other VW warranty repairs performed on my vehicle were inadequately engineered fixes to problems that originally were due to inadequate engineering. And now I'm supposed to trust VW that they can make this all right?

I can't even make an informed decision about the fix because the settlement is moving forward without an approved fix being currently available. What is VW changing? How much does fuel economy get impacted? How much does horsepower and torque am I giving up? Where am I giving up that horsepower and torque in the RPM range? Will some low level dealer tech be in charge of modifying various parts of my vehicle's bodywork and structure to accommodate new components and systems? Has VW done sufficient real world testing in all sorts of temperature and humidity ranges? Has this been sustained testing over the course of full winter and summer seasons in areas where harsh extremes exist? Why is VW confident they can produce a fix now, when they couldn't before?

And if I decide to wait for details of a fix, my car continues to accumulate miles and the according to the settlement the value of my vehicle continues to drop. You see, one of the promises VW made me regarding my VW was that it had great driving range. My old Ford Focus required fill-ups approximately every 250 miles. I get nearly double the range before filling up in my TDI, typically hitting the diesel pump every 500 miles or so. I take advantage of this range because my daily commute to work is a bit more than 32 miles each way, or 75 miles a day. I average over 20,000 miles per year. So since I accumulate miles at a rate greater than 12,500 miles a year, which is the average mileage allowed in the proposed class action settlement, I am further victimized with penalties that reduce the already low trade-in value of my vehicle.

I also find it absolutely astounding that there is a penalty for driving beyond an average annual mileage, but there is no penalty for the condition of the vehicle? Of course, I should state again, that I am opposed to any any used value being applied to these vehicles as VW crime(s) occurred before I had put any miles onto my TDI. But why should I bother taking care of my VW any more? All my VW has to do is drive into the dealership under its own power on the day I turn it in. Paint condition doesn't matter. Interior condition doesn't matter. Accident damage, other than being totalled, doesn't matter. But if I drive more than the average of 12,500 miles a year, that matters, and my car will be worth less.

In summary, the current settlement proposal doesn't go far enough and there are major items that I object too. The vehicle values are not favorable for owners, and should be ideally be based on the original price paid or at the very least the clean retail value – not a trade-in value! Owners shouldn't get penalized by paying inflated sales tax figures on new vehicles because they can't actually get the benefit of trading in their dirty diesel VW. Owners shouldn't be penalized for any mileage put on after September 17th 2015. The settlement shouldn't move forward until VW has proven and effective fixes that have been approved by the relevant authorities, as well as full disclosure of all of the technical details of the fix, so that owners can make an informed decision.

There are over 450,000 VW Jetta TDI original owners out there that were duped into their purchases by one of the largest corporations in the world. We deserve to be made whole. Make us whole!

--

Sarah F. Spiegelhoff, Ph.D., LMHC, NCC



From: damain spradlin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 6:40:27 PM
Subject: VW settlement issues

The buyback agreement as it is currently proposed punishes original owners of the older year models that bought these cars with the intentions of keeping them for their full service life. I for one do not enjoy making car payments and was extatic the day my Volkswagen Jetta was paid off in full. This joy turned to sand in my mouth once I learned of the long running fraudulent activities of VW and the proposed actions to resolve this illicit activity. The choices that follow in the wake of the settlement leave me uneasy as to the future of both myself financially as well as my current car mechanically. Option 1 is to sell back the car I bought brand new, maintained immaculately and planned on getting many more years of use out of, or option 2, have an untested unknown "fix" and take a sum of hush money. My issue with option 1 is that the sum offered is far less than needed to replace my current vehicle with a NEW vehicle or even a comparable USED vehicle that has been maintained as well as my current car without having to go back into DEBT. I am not sure how it is just to make original debt free owners shell out hard earned money to purchase a different car. Option 2 is no choice at all in reality as the chances any fix offered will cause more problems than they will fix is almost guaranteed. This isnt to mention that whatever they do to fix the car will undoubtedly cause a sharp decline in fuel economy which is the main reason most people chose these cars in the first place, and whatever compensation recieved will ultimately go towards repairs and lost fuel mileage in the long run. This settlement needs to be amended to fully reimburse purchasers the full retail paid for the vehicle instead of the current superficial offering.

Sincerely,

Damian Spradlin

From: Paula Spruill
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 11:38:32 AM
Subject: Volkswagen Diesel Comment

Hello,

I am the owner of a 2015 Volkswagen Passat TDI SEL Premium. I purchased my vehicle in May of 2015. Included in my purchase I added on GAP insurance, as well as an oil change & tire rotation package for up to 60,000 miles. My financing is through VW Credit, and my financing was inclusive of these 2 add-ons. Given that I purchased these add-ons with the intention of keeping my vehicle for some time, how would this be accounted for if I were to choose the buyback option? I've only utilized the oil change & tire rotation package once, and there are at least 4 more visits that remain. If I were to choose the buyback option that would equate to, at the very least, my paying for a maintenance package that will never fully be utilized.

Best regards,

Paula Spruill



From: Shane Staats
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/24/2016 6:09:06 AM
Subject: VW Diesel TDI Comment - Unfair for Recent Sellers

To Whom It May Concern,

In brief we recently needed to sell our TDI and will receive very little compensation even though we were misled into buying the car and owned the car for the majority of it's life and also suffered from a large decrease in value for our sale that we are not compensated for. I would like to be compensated for the loss of value we suffered and the 50/50 split with the new owner to be based on the amount of time the car was owned.

More details:

We needed to sell our TDI in Dec 2015 after dieselgate was announced. So logically you would think we would receive the majority of the settlement as we owned the car for the majority of the time.

BUT we will receive very little, the new owner will receive the majority of the benefit even though they bought the car knowing of dieselgate. They were not scammed, they did not suffer from excessive emissions for the life of the car.

We sold our car for \$12,000 rather than the \$18,000 list price because of the scandal.* So we should be getting \$6000 just for that. But we will get nothing.

The new owner got the car at \$12,000 so they should not be getting any of our loss.* They are the ones who benefitted from this. VW will buy back from them for \$24,000!

And we owned the car for 99% of the life of it so we should be getting restitution for the fraud they committed and tricking us to buy the car with this issue.* Not splitting restitution 50/50 with a new owner who's had it for 6 months.

Based on the Hagens Berman class action lawsuit site it was implied they would fight for those who had to sell recently and would be compensated.

<http://web.archive.org/web/201512020...sked-questions>

I fear a significant loss in resale value. What can I expect?

It is highly likely that the affected vehicles will suffer a significant loss in resale value. If you chose to sell your car, please keep detailed records of the transaction as your loss in resale value may be recoverable in the class action.*

Thank you for reading!

From: Jim Stacy
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 12:15:53 PM
Subject: Clean trade??

Why isn't VW buying the cars back at RETAIL value instead of the sweetheart deal you made of TRADE value?

This is wrong!


From: Jim
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 12:13:32 PM
Subject: What not clean retail?

VW should be buying back at clean retail price NOT clean trade value. Owners are losing thousands by this. How in the world did this fall through the cracks?

After the mileage deductions and then the "compensation" money it's not a good deal. If you hold out to wait for a fix that will never happen, you will lose more with more mileage deductions.

Instead of the Govt making out, let some of that "penalty" money go to the people who actually bought one of these cars.

Full clean Retail and not clean trade is what it should be!

Jim Stacy


From: ed stahr
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 4:37:15 PM
Subject: VW TDI Settlement feedback

First, thank you for your work on the Volkswagon settlement.

My main feedback is that I do not feel VW should be able to buyback the affected vehicles at "clean trade-In" value. VW is buying the cars, then should have to pay "private party" rates for the cars.

When you trade a car in, you typically do it for a variety of reasons, but there are three main ones.

1. - Trade-in is a simple process compared to selling your car, collecting payment, and going shopping for new vehicle.
2. - you can trade-in one car and leave in a new car of your choosing. (I can usually trade my VW in at any dealership. i.e. trade me VW in for a Ford at Ford dealership)
3. - It gives you some leverage with the dealer to negotiate on a new car. (They want your used car, as they will make money from it as well as the new car sale).

None of the reasons listed above are in play with the settlement.

1. - This process has not been simple. Consumers have been stuck with a car for over a year that has dropped significantly in value and is actively polluting waiting for a settlement to be reached.
2. - You cannot trade-in the car and leave with a new one, unless you want another VW. This is disingenuous considering the circumstances. (Consumers should not be pressured to buy a car from the manufacturer that defrauded them) This means, selling your car back and being without one until the buyback money is available, then going to another dealership and buying a car.
3. - There is no leverage here because this will not be the usual trade-in scenario. There is no negotiation to take place, consumers must take what it offered.

In shorty, if VW is required he buy the vehicle, they should be forced to buy it at fair market value as of Sept 2015. Allowing them to buy it at trad-in does not send the right message to companies that might be looking to defraud consumers for short term gains against less than adequate compensation.

Thank you,
Ed Stahr
(2009 Jetta TDI Owner)

From: Jodi Stanley
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/8/2016 8:38:51 AM
Subject: Volkswagen Diesel

As an owner of 3 of the affected vehicles I certainly have a lot to say.

1. Settlement. Unacceptable. The numbers used were all wrong. The buyback offer is using "Used Trade-in" figures. First, If you trade in a car, you do not pay sales tax on the new car, because you have traded a car in. In this case, you are using trade-in figures, but paying cash back, so the owner WILL have to pay sales tax on the new vehicle. A flat \$2500.00 should be ADDED to the buyback number to address sales tax.

2. BuyBack offer. The offer should also include a car-for-car swap with Volkswagen. We own 3 VW Jetta Sportwagens. We should be offered from VW a couple of choices. a. Do an even swap for a GAS version of the car (similarly equipped) new car. Dealers move cars, owners stay loyal, happy with the wagon, no other options, goes a long way to goodwill.

3. Buyback offer, is, not nearly enough. Should be full purchase price. We buy diesels to last a LONG time, and not have car payments for years. This forces us into a car payment. No fix is looking more and more likely, therefor must be a buyback.

Anecdotaly, amongst our friends who own these cars are NOT happy with this settlement. They will be pushing the 2 year 85 percent compliance to the LIMIT.

J. Stanley

From: JackS [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: [REDACTED]
Sent: 7/20/2016 8:54:30 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Products Liability Litigation - Volkswagen TDI "Clean Diesel"

Owner comment concerning this settlement.

I do not believe the Buy Back as proposed considers all owners appropriately. Listed below are "Optional" ownership cost, I do not believe have been addressed.

- 1) Will an owner be compensated for the purchase of an extended Warrantee, that will not be used when the car is sold back to Volkswagen? This is a \$1600 cost initially, and though there is an option for a prorated refund, we still stand to have paid about \$300 for no value when we return the car to VW.
- 2) Will owners be compensated for the Sales Tax, based on their local Tax structure? The sales tax will be paid Again if we purchase a replacement car – even from a VW Dealer - as this is not a Trade-In. We assume that the "Buy Back" is with VW Corp., and a New purchase will be with a local Dealer. This is approximately a \$2300 loss in our case.
- 3) Will owners be compensated for optional equipment added to the automobile after purchase? My 2014 Jetta Sportwagen had these items (below) added after purchase from the VW Dealer. All items are common add-ons that the Dealer offered, but I choose to have the work done by other service vendors. The total cost to add these items to another car (assuming I purchased another VW Sportwagen) will be about \$2000.
 - Trailer Hitch
 - Tinted Windows
 - Paint Protection - Clear Vinyl
 - Fog Lights

Adding all these things together amounts to an addition cost to me of over \$4600, that I do not see in this settlement, in the Buy Back option. And if VW has no viable Approved Repair / Recall for my Jetta (which I would prefer) then my loss is greater than others who have not incurred the same ownership/purchase costs.

Jack (John) Staudt – VW Jetta Sportwagen TDI – 2014 Model Year – [REDACTED]
[REDACTED]

Wishing you a good day,

Jack Staudt

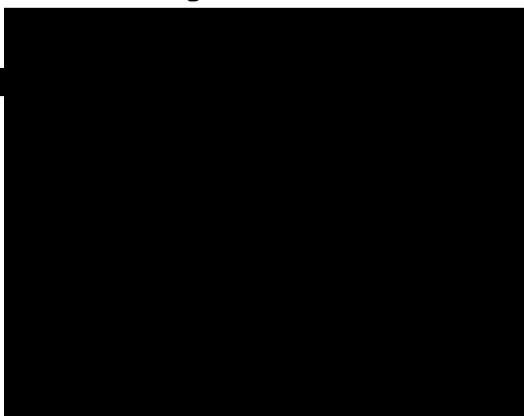
From: Steger, Dustin
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 9:40:29 AM
Subject: TDI scandal

To Whom it may concern,

Back in early 2009, I began shopping for a new vehicle to replace my aging Ford. I wanted something fun to drive yet economical and roomy enough for my growing family. When I heard about the recently released Jetta TDI Clean Diesel, I was very intrigued. I could get a German engineered sedan at a reasonable price with a six speed manual transmission. This car could achieve forty plus miles per gallon while using an alternative fuel with cleaner emissions than most other vehicles on the road? It was a dream come true. I began my search and started contacting dealerships in a two-hundred mile radius. I was told by most that a Jetta TDI with a manual trans and black interior would be very hard to pin down. I started to visit some of my local VW dealers and found one that was in transit. I was thrilled! I began to negotiate and much to my dismay, they would not budge. They knew this new common rail intercooled TDI engine was pure gold and they would have no problem selling it to someone else. I left the showroom without making a deal and it was killing me. Needless to say, I returned a few hours later to put down a deposit. With this being my first new vehicle I was ecstatic! In a few weeks after the car arrived, was inspected and all the paperwork was in order, I picked up my new car and never looked back. It was the greatest car I had ever driven and I was going to keep it forever! I researched to find the best diesel fuel I could buy and would drive half an hour out of the way just to get it. When it was time for the first service, I sprung for the best synthetic motor oil available. I changed it along with the air and fuel filters at half the recommended intervals. I loved this car and it was going to run forever. My fiancé at the time, now my wife of five years took it on road trips. I drove to Las Vegas, New Orleans, Florida and Toronto and I would cringe at the thought of having to fill the fuel tank with just any diesel. I would have to stop to take the time to hand wash and wax while on the road because I couldn't stand to let it get dirty. I wouldn't even let the dog inside my prized Jetta. My wife had a little too much to drink on her thirtieth birthday and made a nasty mess in my car. I could have killed her and spent the next day rinsing it away. In my nearly seven years owning my Jetta, I have treated it with loving care. I bought a set of 18" wheels and tires for \$1200.00 to put snow tires on the original set. I installed a trailer hitch and light adapter for \$500.00. I've purchased special tools to repair and maintain this car. I've spent hundreds of dollars extra on fluids and filters to keep this car at its best. Where is the restitution for this? These cars had sort of a cult following and If I had sold it prior to the emission scandal, I would have gotten more than the amount being proposed. For me the fix is not an option if it comes at the expense of horse power or efficiency. I think more money should go to the vehicle owners that have to live with the lies and deceit sold to us by VW. I believe a full refund of the purchase price would make me whole again.

Sincerely,

Dustin Steger



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VW-2LCMT0001363

any attached documents. Any review or usage is strictly prohibited and receipt of this message does not waive the confidential or privileged nature of the communication.

From: Stein, Hailey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:00:34 PM
Subject: Assistant Attorney General, U.S. DOJ—ENRD, P.O. Box 7611, Washington, D.C. 20044-7611

Hi there,

As a proud owner of my 2014 Volkswagen Jetta SportWagen TDI I feel that I am entitled to some comment on the deal that will shape my future with my car. I am that the company I love has worked so hard to remedy the situation but I feel as though there are still some aspects of the program that are unfair to the buyer. I feel that it is unfair that they get to buy my car back from me at the "trade-in" value when I could barely get the company to give me "trade in value" for the car I traded in to buy my Volkswagen. That is frustrating- they should buy it back at cost, what the estimated purchase fee would be. Buying it back at a reduced price puts me in an odd situation because I will now only be able to afford to downgrade my car- I won't be able to afford a brand new comparable car. Why should I have to be punished for a mistake they made? I do understand that I have the option to simply keep my car- but I have to wonder what the future ramifications of keeping my car with the fix might be. Will it have a decreased value in the future? Will anyone (including Volkswagen) want to take my car as a trade-in down the road with the fix? These are questions I cannot answer because they still haven't provided any information on the fix!

I think that if Volkswagen cannot offer us owners any additional money for our cars, then I hope that they offer a decent incentive to buy from them again for the affected customers! I would love to stay with the company, I really would, but I can't say what I will be able to afford when this is all over. Not to mention, the frustrations of having to go through the whole car buying process again, hoping I can get the same APR on a new car and the tax, title, and license I will have to pay for all over again!!

Overall, I know that I am luckier than others because I am not upside down on my car so I will stand to profit enough to put a down payment on another car but I am still frustrated that I will be leaving the lot with a lesser car and a sour taste in my mouth for a company that couldn't pay us a fair amount for these cars.


So simply put, I think they need to buy the cars back from us at the same price they would've tried to sell us on!

Thanks,

Hailey Stein, LMSW



P please print this e-mail only if needed.



U.S. News & World Report has recognized [redacted] as one of the nation's top [redacted], placing it for the second time on the magazine's prestigious Honor Roll. It is also designated as a [redacted]. Visit us at [redacted] follow us at [redacted]

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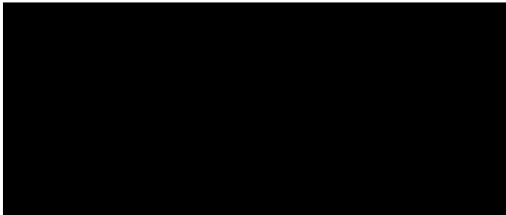
From: Stockton, Doug
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 7:08:32 PM
Subject: 2009 Jetta TDI

I believe VW lied to us all and that the value of a 2009 Jetta TDI that I purchased in 2009 will suffer because of their decision to sell me on mpg alone.
Is there someone that I should contact to regain a portion of my losses?

Thank you.

Warmest regards

Doug Stockton
Senior Field Engineering Specialist



From: Amber Stout
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/1/2016 3:28:50 PM
Subject: Comments on VW Settlement "In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC)"

To whom it may concern,

I am not happy with the settlement proposal for the vehicles that were equipped with a "cheat device." I have several objections. But they can all be summed up in an analogy that one of your representatives used to try to show that the proposed "buy-back" was a good deal and those of us complaining had no reason to complain.

Say you went to your local favorite burger joint and you order the black bean vegan burger. You love this burger, there are many reasons why you bought this specific burger. But then, halfway through burger a man across the joint realizes you are actually in fact not eating your favorite black bean burger but you were served angus! You tell your waiter and she says, "Oh yea, we knew we served that you. It is exactly not what you ordered, but you ate half of it, so I am going to give you half of the price back." Wouldn't you demand a full refund. You were cheated and lied to and the burger you bought for many different reasons was NOT what you thought you had.

Same with my car. I bought my car for many reasons. The first two reasons, it was clean diesel and it got good fuel economy. But it doesn't!! But you are saying that since I drove it, you will give me part of what i paid for it and then deduct even more because of the miles driven.

Another analogy.

You finally decide to buy your girlfriend a diamond ring. After she says yes and she wears it for two years a man a jewelry store notices that one of the diamond is in fact not a diamond, but a crystal. You take it back to the seller and they tell you that since she wore it for two years and it has wear and tear they will buy it back from you at half price. And, yes, he knew he did it, but no apology. Would you be happy with half price? Of course not, you would demand a refund.

I demand a full refund. You sold me Angus and crystal in place of vegan and diamonds and you knew it. It is not the car I thought i was buying. I want full purchase price plus taxes and title. I buy my cars for investment and bought diesel because I drive a lot and i wanted a car to last me many years. Giving my trade-in value and deducting for miles? You are not making any of us happy. You lied and deceived me and my family. Where's my refund, VW? You are guilty of fraud on a grand scale.

Amber and Jeremy Stout


Owner of 2011 JettaSportwagon TDI


From: Michael Suchorsky, Andes NY
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 3:20:58 PM
Subject: being cheated purchasing my 2009 VW TDI Jetta Wagen

I purchased 2009 VW TDI Jetta Wagen for the sole reason that it was good for the environment through its clean burning technology and its good milage. I had that vehicle for 5 years and had nothing but problems with it including shady (criminal?) dealing with their dealerships. I was paying 40 cents to 50 cents extra per gallon of diesel fuel or regular gas during that time because I of my concern for the environment!!

In the spring of 2014 I traded that car in—after yet another shady experience with a VW dealership— for a Subaru. I want to be, at the very least, reimbursed for all the extra \$ I spent buying diesel fuel all those years when I could have been helping the environment with a regular fuel burning engine and saving \$ for myself!! I was fraudulently marketed that car by VW.

I look forward to your response and thank you in advance.

Sincerely,
Michael Suchorsky



From: Daniel Sullivan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 12:30:33 PM
Subject: "In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Reference No. 90-5-2-1-11386."

Assistant Attorney General,

As an owner of one of the defective VW diesels (2014 VW Passat) I would like to comment on the proposed settlement.

My name is Dan Sullivan and I live in [REDACTED]. I am very committed to a clean environment, sustainable lifestyle and a genuine respect for the planet. I believed my purchase of the 2014 VW was inline with how I live my life. Obviously VW took advantage of sentiments like mine delivered a deceptive defective product and still profited handsomely. The settlement assessing the value at the discovery of the scandal, September 2015 I believe is wrong. Determining VW's liability based on when they got caught just doesn't seem right. The cars were sold under false pretenses from the beginning. For VW to retain the profit prior to that September date simply because they got away with it that far is in my opinion, wrong. I am a named principal in the class action lawsuit. It has been my belief since the beginning that VW should pay the owners of these vehicles the full purchase price. My attorney's tell me that to pursue that route would take years of litigation. That also does not seem right. VW owners will be penalized because our justice system allows years of litigation to correct an already admitted wrong by VW? It is my opinion that the judge should order VW to promptly reimburse each VW owner for exactly what they paid for the car, pick up these cars at the dealers and either fix them and resell or destroy them.

Thank you,
Daniel Sullivan



From: P S
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 8:22:32 PM
Subject: VW Diesel Fraud.

As a 2011 Golf TDI owner I bought new, I object to the proposed settlement.

In 2011, I purchased the perfect car for my needs, good mileage, performance, handling, and reliable. Come to find out I am driving a vehicle that if in compliance with emissions standards in place at that time, I might not have chosen. I chose this car because VW posed it as something that it is it. Fraud like you called it.

Now my wife [REDACTED] and I lost my job spending time in the hospital with her (it is relevant).

I need to now go buy another car that fits the same requirements that the 2011 Golf did at the time for how much? \$18,000.00 ? Good luck buying a comparable replacement for that amount from VW and they committed fraud, a crime.

I always purchase cars new and keep them well over 100,000 miles. I don't trust buying used cars.

I need what I paid for the car new at a minimum, never mind the adjusted inflationary amount, or punitive damages!!

Sincerely,

Pete Surette
[REDACTED]

Thanks,

Pete

From: Andrew Swartz
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 4:30:16 PM
Subject: Proposed Volkswagen TDI Settlement Public Comment: Compensation for Purchased Extended Warranty

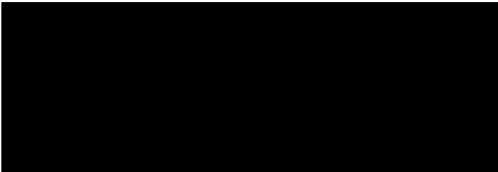
To whom it may concern:

The proposed Volkswagen TDI settlement should include compensation for owners who purchased extended warranties for their vehicles.

Many owners, including myself, purchased vehicle extended warranties directly from VW dealers at significant expense. These warranties are associated with the vehicles and are transferrable to subsequent owners, thus adding value to the vehicle. If a buyback option is exercised by the vehicle owner, the dealer or Volkswagen should be required to buy back the remaining extended warranty on the vehicle.

Regards,

Andy Swartz AIA CID
Principal / Vice President



Service - Value - Innovation

This message may contain confidential and/or proprietary information, and is intended for the Person / entity to whom it was originally addressed. Any use by others is strictly prohibited.

From: Adam D. Switzer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 12:51:40 AM
Subject: Volkswagen Settlement Comment

Hello,

I am writing to dispute certain provisions of the proposed Volkswagen settlement offer. I own a 2012 TDI Jetta Sportwagen, purchased new in July 2012.

Items I dispute:

1. The basis of valuation at NADA dealer trade value is completely unfair to the consumer. Dealer trade is the lowest of values. I am not trading this vehicle in to a dealer, so I have no negotiating power on the subsequent purchase I must make as it relates to this car. A low offer on a dealer trade typically corresponds to a higher purchase price on the new vehicle, and vice-a-versa. We are stuck with this dealer trade value with no negotiating leverage. **The base valuation should be private sale.**
2. Actual mileage as of September 2015 should be used, not back-calculated. This is easily verifiable, or very closely estimated, based on records. We have had ALL of our service done at the dealer. Our actual mileage in September 2015 is about 5,000 less than our calculation shows, costing us money unfairly.
3. The mileage allowance is obscenely low. 12,500 miles a year is completely unrealistic for a vehicle which is designed to run for well over 200,000 miles. We bought a diesel vehicle to drive it, not park it.
4. The 20% premium over the base value is basically eroded with the mileage adjustment. The 20% premium also basically takes the value to Private Sale, which should be the base anyway as noted above, so we are really getting nothing for this 20%.
5. The \$3,000 extra is hardly significant compensation as required by the judge. I live in Pennsylvania. If I were to pay the same \$27,600 I paid for this car in 2012, the 6% sales tax costs me \$1,656. As I will need to buy an equivalent new car, and \$30,000 is my range, that is \$1,800 I am out in taxes alone.
6. The 20% premium and \$3,000 extra are essentially eaten up by the unfair dealer-trade valuation and sales tax on a replacement car. **Thus, there is really no "generous compensation" as specified by the judge.** In the 4 years and 102,000 miles we have driven the car, I have spent approximately \$2,300 on scheduled maintenance at the VW dealer (excludes new tires and wear and tear items). We have kept the car in immaculate condition with the intent to drive it forever (note our other car is an immaculate 340,000 mile Toyota Celica, bought new in 2000, so we do plan to keep cars forever). We are being forced to sell early and eat a sizeable depreciation and not achieve fair long term value for the dedicated (and expensive) maintenance we have performed.

Recommendations:

1. Utilize private sale value instead of dealer trade.
2. Increase mileage allowance to 18,000 miles per year.
3. Utilize exact mileage as of September 2015 if able to be documented acceptably to a dealer.
4. Add a total percent to the final calculated sale price equal to the sales tax rate of the state in which the seller resides to offset sales tax on a new purchase.
5. Increase the \$3,000 "extra" money to \$5,000 to offset unfairness associated with early depreciation loss, inconvenience, and costs for maintenance performed.

Being forced to sell a car you bought new early creates a tremendous financial loss for the seller. The compensation VW is proposing does not fully offset these costs, much less provide any monetary offset for the aggravation and inconvenience this has caused for owners.

Thanks you.

-Adam Switzer

Adam D. Switzer, P.E., CM, LEED GA



From: Edward Taggart
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 9:27:10 PM
Subject: VW settlement

I am the owner of a 2012 VW TDI Sportwagen affected by the emissions problems caused by VW deceit. While on the face of the proposed settlement it sounds generous to those affected it is not. Since it's unlikely that VW will be able to engineer a fix to the cars that does not seriously affect performance or fuel economy, I am faced with the prospect of selling my car back to VW. With the money paid for my car I would then have to find a reliable used car, pay sales and excise taxes, and as a result end up with a car that is likely less fuel efficient as the diesel car that I purchased. In order to make customers whole VW should pay the complete original purchase price customers paid for their vehicles NOT the estimated price before the scandal broke. This would allow customers to find reasonable replacement hybrid or electric vehicles that attain a similar fuel economy to the diesels that they bought. With the money I would get for my buyback there is no way I could find a fuel efficient vehicle in that price range unless I received full purchase price for my VW. I would still then be burdened with sales and excise taxes. Please fix this raw deal that consumers are getting by having VW pay full original purchase price for our cars that we were duped into purchasing.

Ed Taggart


From: DrTravisTaylor
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 3:36:21 PM
Subject: Comment on VW settlement

In order for greater accountability and transparency on the buyout and fix process, VW should be required to publicly report the numbers of cars that have been bought back or the owners have initiated the fix procedure. As this might be hard to track in real time, there could be a reasonable delay instead of providing real time information, such as by quarters (3 month blocks). For example, if fixes start in October of 2016 (the fourth quarter) then during the first quarter of 2017 they should report the data from the previous quarter. The data from that quarter and the accumulated data should be publicly posted for tracking.

Travis Taylor



From: DrTravisTaylor
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 4:50:01 PM
Subject: Comment of VW settlement for 2.0L TDI owners

To Whom It May Concern:

I am writing to provide my comments on the proposed VW Settlement for TDI 2.0L owners. I am the owner of a 2011 Golf TDI 4-door hatchback with 6-speed manual transmission. It currently has approximately 105,000 miles. I have two major complaints about the settlement as proposed that will probably make me less likely to accept either the buyback or a "fix."

First, I feel that using the NADA "Trade-In Value" is a low starting point for determining the value. While true "retail value" was probably never possible, I do think using a value more in line with a private party transaction is more appropriate. Many car owners these days no longer trade in their car to a dealer as they opt for a private party purchase. The use of the NADA "Trade-In Value" is \$1000-1500 lower than expected from a private party transaction. This additional money might help offset the other fees associated with the purchase of a replacement vehicle including sales tax, licensing, and titling fees.

Second, I take issue with the proposed mileage adjustment strategy. Many TDI owners bought the car because a diesel engine is much sturdier and can withstand higher mileage. We owners of higher mileage vehicles have polluted the most and will CONTINUE to pollute the most until the car is removed from the road. I understand that the logic is that we have gotten more use from the car and shouldn't receive as much compensation. But I would argue that we have paid for that use through regular maintenance and other costs associated with vehicle ownership. There should not be such a negative incentive to participate in the settlement. If the point is to either get these cars off the road or get them fixed, then please reconsider the mileage adjustment strategy. As you can see, for my car with 105,000 miles, the difference between the NADA and VW adjustments is \$950. The currently proposed adjustments make it less likely for higher mileage owners to participate. The proposed VW mileage adjustment is much more severe than the NADA used car value adjustments. As an example, I have posted a chart below that compares the NADA mileage adjustment to the proposed VW settlement for my car (2011 Golf 4-dr hatchback with manual transmission). As you can see, the VW adjustment is significantly greater than the NADA value. If the NADA value is acceptable for determining the base value, why not use the NADA mileage adjustment? And as the case slowly drags on, my car will continue to lose even more value, making any settlement less attractive.

60,000	700	0	700
65,000	475	-150	625
70,000	275	-420	695
75,000	0	-630	630
80,000	-125	-870	745
85,000	-300	-1110	810
90,000	-475	-1320	845
95,000	-650	-1530	880
100,000	-825	-1740	915
105,000	-1000	-1950	950
110,000	-1150	-2160	1010
120,000	-1450	-2520	1070
130,000	-1750	-2880	1130
140,000	-2025	-3240	1215

A “fix” for the Gen1 cars is a non-starter for me. If VW had an LNT system or configuration that worked, it would have used it long ago. Instead, VW opted for the urea injection system in the later models. Unless the EPA and CARB alter the emissions standards, I find it difficult to believe VW will be able to engineer a “fix” that doesn’t dramatically alter the performance of the vehicle in either power or fuel economy.

Lastly, the government should be aware that many that opt to take the fix will probably take the settlement funds and perform a diesel particulate filter (DPF) delete and a retune. Basically, this process removes all software and physical pollution control devices. Unencumbered by the pollution control devices, the car gets significantly more power and better fuel economy. This is not something just a couple dozen people will do. The process has been perfected (Google Malone tune or DPF delete) and thousands have already done this. For example, see this link: <http://www.rawtekinc.com/products/tdi-dpf-delete-downpipe-for-vw-2-0l-cr-gen-1> The cost is approximately \$2000-2500. I suspect a significant fraction of owners that opt for the fix will take the settlement funds and remove whatever “fix” VW has installed. And will have a couple thousand dollars left over.

Thank you for time and consideration.

Sincerely,

Travis Taylor




From: Thomas, Brian
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 7:49:35 AM
Subject: Volkswagen Opinion from owner

I am an owner of a 2011 Volkswagen Jetta TDI. I bought the car for two main reasons – environmentally friendly and gas mileage. While the settlement does address setting up funds for the environment and reimbursing the owners, I do not feel that the courts have imposed the correct penalties to Volkswagen. Please let me explain my rationale. Volkswagen willingly defrauded the American people creating an unfair marketing environment which other car companies could not compete. Volkswagen was able to make diesels cheaper than other car companies by willingly choosing to ignore the requirements. The IRS established a tax credit for clean diesel cars while Volkswagen willingly knew that their cars were not clean. In patent law, the court “may increase the damages up to three times the amount found or assessed” for willful infringement. While I understand that this is not patent law, I believe that patent law does provide a great precedent for willful intent. In this case, Volkswagen had willfully deceived the American people, willingly lied to the government, and willingly hurt the environment. I would like the courts to consider increased damages for the willful intent of Volkswagen to create an unfair market advantage, hurt the environment, and deceive the American people. We need to set a precedent that this is unacceptable and I believe we need to stop willful lies.

I can be contacted on my cell phone at [REDACTED] if additional information is required.

Thank you,

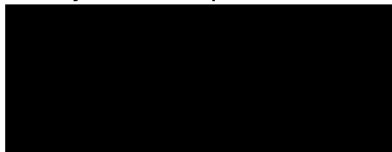
Brian Thomas, PhD, MBA
Sr. Principal Engineer
Stryker
Sustainability Solutions - Research and Development



From: bryan thompson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 11:36:18 AM
Subject: Volkswagon of America Diesel Proposed Settlement

August 6, 2016

Bryan Thompson



Re: Public Comment on the Proposed Settlement with VW Diesel Owners. Add the Volkswagen \$500 Gift card and \$500 repair credit value to those that did not receive it out of concern of sacrificing legal rights.

I purchased a 2015 Volkswagen Passat VIN# [REDACTED] on March 30 of 2015. It was financed through Volkswagen Of America Finance. I have read over the proposed settlement and find it acceptable for the most part. However, I am one of the many that did not participate in the VW Goodwill gesture of a \$500 visa gift card and \$500 Volkswagen service center credit for repairs or improvements to the car. I did not participate as I was concerned that acceptance of the gift card would affect my legal rights regarding the fraud perpetrated by VW and it's dealers regarding the car I purchased.

I would like to see the compensation of the \$500 gift card and repair credit added to the settlement for those that did not receive them in the original offer. This would equalize the treatment among the owners.

Sincerely,

Bryan Thompson

From: James
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/27/2016 12:29:11 PM
Subject: Claims comment

Now that the claims system is up and running, it is a bit shady that their system is telling me I will get less money for my car than what the tables said I would. I was hoping to get more to cover the service plan that they dealer sold me when VW defrauded me. The buyback is fine and all, but lowering the amount for my car is not very fair.

James Thompson

Sent from my iPhone

From: David Tom
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 10:21:05 PM
Subject:

To whom it may concern;

I would like to make a public comment on the Clean Diesel case against VW. I have 3 concerns that I believe are not being addressed.

1.) I am selling my car to VW for misrepresenting its product. I find it is in VW's best interest, not mine, to buy my TDI at clean trade rather than private party. I do not see why we are being asked to lose that value when we are forced to sell our cars back or continue to pollute the environment. If there was going to be a fix for the Generation 1 cars I might feel differently. To be fair to the consumer, VW should pay actual cash value similar to how insurance companies compensate for a total vehicle loss.

2) Mileage adjustment. People who buy TDI's are long distance , highway mileage drivers. If we where city drivers we would buy a Prius or a Volt. TDI owners need good highway MPG and long lasting Diesel engines to put many miles on them. The mileage calculator in my opinion should not penalize us for TDI owners using their cars as intended. The average TDI owner puts much more than 12500 miles a year.

Thanks for your consideration.

David & Rebecca Tom
2010 Jetta Sportwagen TDI

From: Anh Tran
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 4:27:29 PM
Subject: ww diesel settlement

I do not believe the proposed settlement is fair to the consumer. VW was made aware of their emissions issues at least 6 months prior to the actual September date where the news went public; therefore, letting them use market values from September is letting them off too easily. I don't think Volkswagen can truly assess the diminished value to the diesel car market until the modifications have been determined and how it will affect performance and fuel economy. If the modifications drastically impact performance and fuel economy to the vehicle and if states start imposing registration renewal constraints based on the modifications then the value of the diesel vehicle will drop drastically. This will practically make the vehicles not marketable at all.

I don't feel the values they have determined for the buy back of the cars are a fair value. Consumers have been duped by Volkswagen and besides left w/ the inconvenience of looking for a new vehicle they have paid a premium price for what now is a defunked vehicle.

--

Sincerely,

Anh Tran

Email: [REDACTED]

From: Donny Trapnell
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 9:21:36 PM
Subject: Disappointed in Proposed Settlement

Name: Donny Trapnell
Car Owned: 2013 Jetta TDI
Car Purchased: June 17th, 2013 (new)
VIN: [REDACTED]
Initial Loan: \$31,917 (\$28,917 after \$3,000 down payment)

I understand that this is a settlement and that it's meant to put this behind us more quickly at the expense of the total payout, but this is an open and shut RICO case of fraud with a likely court judgement of over 3 times purchase price. Giving us our purchase price back is a minimum, no? Meanwhile I'm looking at a proposed settlement that will give me roughly \$22,000 due to my mileage which will go down because I still have to use the car for greater than 1,042 miles per month. REDUCING VALUE BY MILEAGE PUNISHES THOSE WHO USED VEHICLES FOR THE ADVERTISED PURPOSE.

I keep seeing the "free car" argument on why we shouldn't get full value, but why SHOULDNT we? We were lied to and unwittingly forced into being their accomplices! We should NOT have to pay for that.

Anything less than full purchase price should be considered unacceptable. They know they will not fare well in court without a leg to stand on, and full purchase price lets them off easy while making the victims whole.

From: Sam Trapp
To: Van Eaton, Josh (ENRD); bethany.eaton@usdoj.gov; ecabraser@lchb.com; giuffrar@sullcrom.com; nelless@sullcrom.com; monahanw@sullcrom.com
CC: Allen, Gabriel (ENRD); Allen, Leslie (ENRD); Bryan, Patrick (ENRD); Cooney, Nigel (ENRD); Dworkin, Karen (ENRD); Glaser, Danica (ENRD); anna.grace@usdoj.gov; McAnaney, Sheila (ENRD); Mollo, Marcello (ENRD); Mullaney, Robert (ENRD); Wells, Erika (ENRD); Ziza, Iva (ENRD)
Sent: 7/23/2016 11:00:28 AM
Subject: Additional Volkswagen Settlement Considerations by a Concerned Citizen

Dear Counsel,

I hope you actually read this.

I am nobody important, but I did purchase three brand new Volkswagens addressed in the settlement proposal and I have some comments. I finally took an interest in determining what I would get in the proposed settlement this morning and reviewed several court documents (not all by any means) that apply to my vehicles. I wanted to point out two areas of additional consideration that I believe should be considered prior to finalizing the settlement. I would be a good example of both of these sorts of claims. I anticipate (and agree to a certain extent) that some of this sort of claim is 'nitpicky,' and probably to be ignored, but both are still valid.

Let me explain.

CONSIDERATION 1 – MILEAGE

I personally purchased three Volkswagen TDI models, two Volkswagen Passat TDI SEL (Model year 2011 and Model year 2013) and one Volkswagen Jetta TDI SEL (Model year 2011). I put an extraordinary amount of mileage on all of the vehicles, because I drive A LOT and I was very appreciative of the advertised mileage efficiencies and because the vehicles were advertised to me as having been cured with respect to "clean" emission standards. I traded in the 2011 model year vehicles to obtain the 2013 model year. When I did, one vehicle had over 50,000 miles on it and the other had over 60,000 miles on it. Since the diesel engine is far more efficient and durable than the standard unleaded gasoline engine, and since I am obsessive about maintenance, I have no doubt that each of those vehicles would have operated well into the one half million mile mark. Similarly, my current 2013 Volkswagen Passat has 85,000 miles (plus or minus) on it at present. This one I do intend to keep well past the one half million mile mark.

My problem became apparent when reading the mileage adjustment resolution proposed in this matter. It is actually compounded by another factor that a typical person would not be affected by, but which does affect me. When the news came out in September 2015 that TDI models were now just scrap metal for all intents and purposes, my car had been mostly in storage for the previous year as I was on a contract assignment in the country of Qatar. At that time, my car had been driven less than 45,000 and I had driven it for two years. Had I known at that time that my claim would somehow be reduced based on mileage on the date that I either turn it in or have it modified, I would have made an effort to keep my mileage low or would have kept the car in storage. Instead, when I came back in February of this year, I made the choice to put even more mileage on the vehicle because I knew it to be without value already. I don't believe that your settlement proposal adequately addresses people in my circumstances. Had I known last September, or even upon my return in February, that the settlement would be based upon mileage at some unspecified date in the future, I would have had someone verify my mileage and record it in September of last year instead of "over driving" it this year.

An additional mileage concern occurs post-modification of my vehicle (which I do not want), when it loses the average of 45 mpg. Since I plan to drive it until it dies at around a half a million miles, what do I get specifically for the loss of economy after modification? Probably considered somewhere in the mix of the settlement, but I think mileage issues should be further broken down and specified for people like me. I know I have the right to exclude myself from the class, but I bet there are others like me in the class.

CONSIDERATION 2 – MY STATUS AS ONE "DUPED" BY VOLKSWAGEN (OWNERS AND PRIOR OWNERS)

As I outlined above, I was a very proud victim of Volkswagen as the purchaser of three Volkswagen models that are a part of this settlement. Now instead of being a conscientious, environmentally friendly and fuel-efficient consumer, I

get to wander around with a dunce cap on my head for the rest of my life. I am the patsy. The fact that there is very little chance that I could have known that I would end up being a patsy is irrelevant to this consideration. Admittedly, it can easily be explained away and could almost be turned into a positive based upon the settlement obtained by you fine people. But the problem is still of a continuing nature, even with respect to my purchase of the 2011 model year vehicles. Arguably, people in my circumstances (prior purchasers who no longer possess the vehicle) should be compensated even for the purchase of vehicles which we no longer own. The fact that I proudly broadcast my purchase of three of these lemons has turned me into a goat, whether I still own the vehicles or not. People will be reminded of that constantly as I operate my present Volkswagen. But those who know me and know that I purchased two other such lemons will continue to remind me of the fact that I have been scammed, even though I no longer possess the vehicles. That concern does not appear to have been addressed by the proposed settlement.

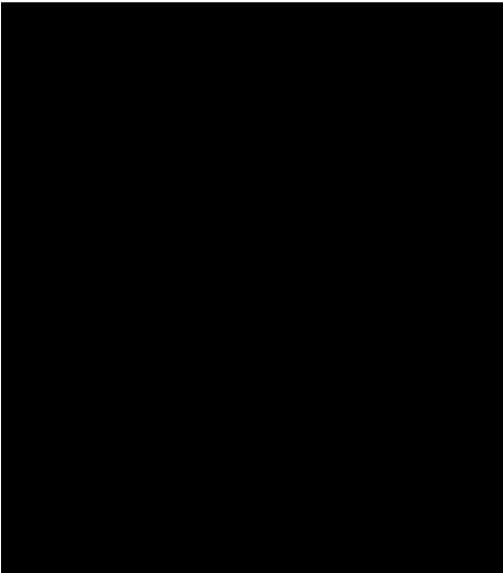
Perhaps it is too late to address these minor issues or perhaps they are too minor to address. It is also possible that these issues already have been addressed with respect to prior purchasers and I haven't read the right document – as I outlined earlier, I only looked it over this morning. Regardless the situation, I would hope that such issues would be addressed prior to final settlement.

Not to break my arm by patting myself too excessively on the back, but I am very pleased to point out that I actually "called it" with respect to what an appropriate settlement would be last September in a podcast I put out shortly after the news broke regarding the Volkswagen scam, and you have met most of my requirements from that time. If you are interested, you can listen to it at <http://podcast.samtrapp.com/e/vw-screwed-me-what-are-my-damages/?token=8fa309a77d9cb667694b734dfcdc8c8e>.

In any event, it is quite possible that you have presented a small glimmer of "shiny" to a guy who believes that the entire apparatus is tarnished. If nothing else, I wanted to congratulate you for that. I appreciate your efforts on my behalf.

If I can be of assistance to any of you, please let me know.

Samuel Trapp



From: Dru Trela
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 1:03:06 PM
Subject: Owners of a diesel volkswagen involved in total loss accidents completely cut out of settlement between June 28th 2016 and September 16th 2016

Hello,

After reading the 200+ page settlement, I've come across a major loophole in which Volkswagen would not have to pay any compensation to owner's of vehicles involved in accidents that happen between September 18th 2015 and June 28th 2016 if the title is not transfered by June 28th. Subsequently, if the owner transfers the title to a 3rd party including insurance companies between June 28th and the opt out deadline which is estimated as September 16. We would not be an eligible owner or eligible seller. For example, I paid 27k with taxes etc 15 months ago for my 2012 passat. An 83 year old lady lost control of her car and slammed into the side of mine on June 4th, 2016. My insurance company offered me 12.6k for my loss. If I transfer ownership before September 16th and the car was not operable on June 28th, then I seem to be entitled to nothing. Is it fair that because of this driver who shouldn't be on the road and this fraudulent corporation, that I should have to take a 15k loss on my vehicle? After looking at all the details and wording in the settlement, I feel that it is absolutely necessary to bring this to your attention. Im getting 30 percent less for my car then it's worth due to the current market value. My settlement offer was not sent to me until after June 28th so I'm in a major dilemma. I have sent an email to Feinbergs office as well. It's not fair that if I transfer title of my vehicle from an accident after June 28th, I would not be considered a true eligible owner. I have owned tdi's long before September and I paid a heavy premium so I don't understand why this is not considered in the settlement.... Thank you and I'm pretty sure a lot of other people in my situation feel the same way. Thanks and have a great week.

Kind Regards,
Andrew Trela

From: True Claus
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 9:03:53 AM
Subject: VW TDI scandal...

To who it may concern,

I am the proud owner of a 2009 Jetta TDI sedan, which was bough new in July of 2009.

The proposed settlement from VW that has been put in front of the federal judge is missing a few key elements, and also raises questions about the financial compensation for VW owners.

In the settlement, owners of newer vehicles are compensated at a higher rate, both in the formula used to determine the buy-back price, as well as the cash compensation. Due to that, owners of 2014 Jetta Sedan can effectively pocket up to \$5000, if they buy a new entry level Jetta Sedan, which incidentally get almost the same highway fuel mileage as the TDI. Owners of the earlier models, ie. a 2009 as mine, have to make up the difference in cash, up to \$6000, out of their own pocket, if we pick the same model.

I am not asking for VW to give me a new car for free, but it seems strange, that those vehicles that has been on the road the longest, and by definition polluted the most, are compensated with the lesser amount. If applying logic to this, the result should be reversed.

Also, now being on a limited family income, there are no room in our budget for a car loan, so if taking the buy-back offer, and getting my car replaced with a new VW, is out of the question for me. I realize, that my personal financial situation is of no concern to VW, or to the officials who are deciding on the proposal.

My only option is to have VW apply the modifications, which I am not at all unhappy with, but again the financial compensation is lower for the older vehicles.

What I am missing from the settlement proposal is any mentioning of warranty on the affected systems. It would be only logical to include a lifetime warranty on all parts affected by the modifications, not just the replaced parts, but also the secondary components such as the ECU (the computer), and I hope this will be included in the final settlement. The warranty could be limited to the current owner at the time the modifications are made.

I thank you for your time, and I hope my concerns and suggestions will be considered.

Sincerely,

Claus True

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 11:55:39 PM
Subject: 2013 VW Passat Diesel Recall

To Whom It May Concern

My name is Kostas Tsiolis and I live in [REDACTED]. I have a 2013 VW Passat Diesel bought brand new at a VW dealer in San Juan Capistrano CA that's being recalled or fixed in the next couple of months. I am one of those that will be returning or reselling or whatever it's called my car to VW when this is officially over as I feel VW lied to me and cheated me from my money I spent on buying this car. They claimed it was a green clean car and no harm to the environment would come from diesel so I bought into there lie and paid almost \$34k brand new and also bought there extended warranty for another \$1600. The money they are offering for the criminal act they did and there lie to there customers to fall and purchase these cars is ridiculous. We should be receiving a full refund for what we paid for regardless of mileage and year with proof of contracts and sales bill we signed and paid for to teach VW and other car manufacturers don't mess and play with the environment, peoples minds and with there hard working money. They should refund peoples yearly registration payments also and extended warranties. We shouldn't be getting mileage adjustments or pre September 2015 clean retail value of car. They deserve to pay to the people they lied to and the only way is to get a full refund to everyone who got suckered into buying one of these polluting cars. Why should the federal government get most of the penalty money it's the people that got blindsided and got suckered into this mess who should be receiving full refunds. VW is getting off easy we need to teach them a lesson so the whole world will listen and understand. Pay back the people's money in FULL regardless of year bought or mileage and start a criminal investigation to put the top heads behind bars soon and ban them from ever selling a car again in the USofA. If nobody got to jail over this than this whole thing was all for nothing.

I don't support liars and I will never ever buy a VW again, never.

Thank you
Kostas Tsiolis

From: Ivan Tumbev
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 4:56:36 PM
Subject: Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

*This letter is in response to the proposed settlement for Volkswagen diesel owners. I am writing to provide my feedback and concerns with the settlement as presented. As a whole, I do not object to the settlement, and feel the structure and timeframes are realistic and fair. I do have objections to the methodology used to determine the buyback amount. As a Volkswagen owner, the settlement is structured so that it is favorable for me to sell my car back rather than wait for **POSSIBLE** fix. Though technically I am not being forced, I am essentially being driven to have my car bought back. The proposed settlement is using a "Trade-in" value plus twenty percent. The problem with this is that amount does not capture the cost to purchase a replacement vehicle. To support this, the below shows the price difference between RETAIL (replacement cost) and TRADE value (the amount used in the settlement)*

*ALL DATA TAKEN FROM NADAGUIDES.COM 06/30/2016 *Gas option used due to skewing of Diesel Values*

*Jetta Gas 2.0L Turbo
 \$6675.00 TRADE IN \$9125.00 RETAIL 36% DIFFERENCE*

*Jetta Wagen 5 cyl
 \$7150.00 TRADE IN \$9700.00 RETAIL 35% DIFFERENCE*

*Golf 4 door 5 cyl
 \$6025.00 TRADE IN \$8200.00 RETAIL 36% DIFFERENCE*

As you can see from the above the average difference between "Clean Trade In" and the Retail price is not 20% as used by the settlement but around 35%. This shortchanges Volkswagen owners a considerable amount of money.

for example, a 2010 Jetta TDI Sedan, the buyback amount is 14027. Subtract from that number \$2986.73 (the amount of owner compensation) and you get \$11,040.27. This would be 120% of the NADA clean value. This means the NADA clean value for my vehicle used was \$9200.00. Using the more realistic 35% difference between retail and trade-in, my total compensation should be \$15,406 a difference \$1,379 dollars.

The second issue I have with the proposed settlement is once my vehicle is bought back, I am now without a vehicle and I have to purchase a replacement vehicle. A lot of fees come with purchasing a replacement vehicle such as the traditional tax tag & title, vehicle dealer processing fees etc. (all in the fine print of dealership ads) This creates a tax liability for me as I have to pay sales tax on the new vehicle. In addition I have to pay the dealerships processing fee. As a resident of Virginia, this fee averages \$400 dollar. Volkswagen is not offering compensation for the sales tax that would be needed to be paid on the new vehicle purchase or the dealership fees. Using my vehicle as an example, and the replacement cost value, Sales Tax is \$631.00. Add to that the dealership fees and there is an additional \$1000.00 that owners are not being compensated for.

Here you can see how I am being shortchanged on my 2010 Jetta TDI.

Difference between "Clean Trade in" and Retail: \$1,389.00
Virginia Sales Tax \$631.00
Dealer Fees \$400.00
Total difference \$2420.00

I propose that the final settlement be based on a "Retail" replacement value and that it includes compensation for sales tax (if applicable) and dealer processing fees. This buyback situation is not unlike what the insurance industry deals with on a daily basis for the total loss of a vehicle. Insurance companies do NOT provide the "trade-in" value. They use what is referred to as the "Actual Cash Value" (ACV) for a vehicle AND they include taxes / fees.

Below are excerpts from the three largest auto insurers on how vehicle value is calculated for a total loss.

State Farm "We'll pay to repair, replace, or furnish the agreed upon **actual cash value of your property**, subject to the terms and conditions of your policy"

Berkshire Hathaway (GEICO) "Pay the **actual cash value of the vehicle (plus applicable state fees and taxes)** less any deductible."

Allstate: "Sometimes, it might cost less to replace your car than to repair it. In that case, many policies will pay the **actual cash value**. Determining the cash value of your car will depend on its condition, prior damage and local market pricing."

As you can see, the insurance industry, experts in buying vehicles back, use ACV and include compensation for taxes and fees to make their policyholders whole again.

As Volkswagen owners, we have been troubled by the events that have drug out over the past year. We were lied to and given false information at the time of purchase, and during our ownership thru countless commercials advertising a clean product with a "high resell value" We need made whole.

The proposed settlement is a good start to making owners whole but fails to completely address the compensation that is due.

I concur with the final settlement being approved with the "Clean Trade-in" value being changed to the "Clean Retail" amount or Volkswagen use Actual Cash Value (ACV) like the auto insurance industry does. In addition, Volkswagen should compensate owners for sales taxes and fees that they will incur as part of making them whole.

Respectfully,

IVAN

From: Todd Turner
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: crbpdf@cand.uscourts.gov; robert.mueller@wilmerhale.com; mnichols@arb.ca.gov; McCarthy.gina@Epa.gov; Maria_Loo@cand.uscourts.gov; crbpo@cand.uscourts.gov; crbcrd@cand.uscourts.gov; [REDACTED]
Sent: 8/5/2016 10:14:21 PM
Subject: Against VW settlement proposal fails to address ill-gotten gains, and environmental damage

Assistant Attorney General of the United States:

As a consumer, a taxpayer, and as an affected owner of one of the subject vehicles, I strenuously object to the settlement proposal that has been submitted and tentatively accepted by the United States District Court for the Northern District of California. The basis of my objection is that the settlement fails to make corrective that which Volkswagen fraudulently profited from. If Volkswagen can't or won't provide the product it contracted to sell, all agreements to sell should be fully rescinded. Volkswagen marketed, and entered into contracts with dealers to provide a "clean diesel" which then followed that dealers entered into purchase contracts with consumers to also buy this vehicle. However, since the "clean diesel" was a complete fraud, all of these contractual obligations become null and void. Volkswagen's buy back settlement does not provide appropriate disgorgement of ill-gotten gains acquired through fraud.

Dealers and owners contracted with Volkswagen for the purchase of a "clean diesel" vehicle. The proposed settlement does not provide reparation. Volkswagen should make available the vehicle they entered into a legal agreement to sell. Nothing short of this fully disgorges their fraud, of deceptive advertising and marketing practices and violating fair trade laws and anti-competition regulations.

Volkswagen flaunted environmental laws and regulations. This settlement doesn't even end the continuing pollution as soon as could have been possible. Furthermore, it fails to address the damage caused to date, and completely fails to address illegal certification of selling these cars in the first place. The EPA and CARB accepting this settlement is a complete dereliction of duty.

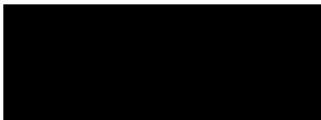
The more we learn about how this fraud developed the evidence is mounting that every level of management at Volkswagen not only knew of this deception, they spent 16 years perfecting the cheating technology through six different software iterations. The more it seems the Department of Justice, the Environmental Protection Agency, the California Resources Board, the Federal Trade Commission and all the other government agencies involved in the settlement appear to have set a precedent that the laws intended to protect our citizens can be blatantly ignored with little more than a slap on the wrist.

Owners of these cars are left completely holding the bag. My case is an excellent example. I purchased my car in early September for \$19,000, paying a premium because these cars were in high demand for their fuel economy and performance. I still owe \$16,000 for it, VW's buyback offer would net me around \$7,000. That would be nowhere near enough to get me into a car that gets similar fuel economy while maintaining the payments I have now. This settlement fails for me as a buyback. The repair option for my situation puts me in a better place, but I have zero confidence that Volkswagen is going to find a fix that is ultimately accepted by regulators, which will leave me in an even worse position.

In summation this settlement does nothing to make whole the victims of Volkswagen's crimes. Further, it has the potential to nullify enforcement of vehicle emission laws on State and Federal levels. Volkswagen had knowledge of better options, options that meet the needs of all the interested parties and provided full disgorgement of their fraud. Those proposals, also weren't that much more money. This is a bad deal for customers, the government, the environment, and quite likely Volkswagen themselves. I honestly don't know who benefits from this deal.

Todd Turner

Car Concepts



From: Michael Ugarte
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 4:29:28 PM
Subject: TDI Owner

To whom it may concern,

Volkswagen should pay out higher amounts than what has been proposed. I'm not receiving a dime of compensation for options I paid extra for on my 2011 Golf TDI. Options like A. bi-xenon AFS headlights, B. Heated Seats, C. Rear side airbags and D. Sunroof.

Not sure how this is fair to those like me being overlooked. This is my 6th Volkswagen and probably my last.

Thank you,
Michael Ugarte

From: Wayne Urso
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 7:22:04 PM
Subject: VW Diesel Suggestion

It seems to me that it would behoove all parties if VW came up with some sort of an incentive program that would allow for VW Diesel cars to be bought back, and would then further incentivize those customers to purchase gasoline or other models of VWs or Audis at a great discount. After all, in order to keep those customers that have been harmed, they need to not only make them whole, but their future business depends upon keeping those customers for VW or Audi products.

Those incentives ought to allow for special deal for customers that have been harmed on any new or certified pre-owned car across the spectrum of VW, Audi, or Porsche automobiles.

--Wayne R. Urso



Sent from my iPad.

From: William Utech
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/13/2016 2:10:38 PM
Subject: Volkswagen "Clean Diesel" marketing, Sales Practices and Products Litigation, MDL No. 2672 CRB (JSC) Eligible Owner Comments

As a Class member, I object to the settlement in VOLKSWAGEN "CLEAN DIESEL" MARKETING, SALES PRACTISES, AND PRODUCTS LITIGATION, MDL No. 2672 CRB (JSC). I will address only the part of the settlement for original owners, as I am a member of that group. I own a 2012 VW Jetta TDI Sedan VIN #

[REDACTED]

I find the proposed settlements as I understand them:

Current original purchasers of affected Volkswagen 2.0L diesels are offered the following options for redress of fraudulent claims by Volkswagen and violations of EPA "Clean Air Act" and CARB air standards the following;

A. VW will at the owner's discretion either buyback the vehicle at NADA "Clean Trade In" plus remediation of 20% of the car value plus \$2983.73.

B. Offer to fix the non compliant vehicle at VW's expense plus remediation of 20% of the care value plus \$2983.73. Additional warranty of the fixed and affected parts to be applied. The approved fix would need to be completed before January, 2019.

C. Opt out of the Class Action Settlement any time before January 2019. Receiving neither compensation or a fix.

to be inadequate given that Volkswagen knowingly and freely admits to have committed a criminal act of fraud. This act was not a single one-time event, but a systematically attempt to deceive customers with marketing, technical sly of hand and outright lying. I believe that Volkswagen has breached my trust and the trust of the public with these actions.

For comparison; May 7, 2008 Toyota Motors offered to buy back vehicles that could not be repaired for a frame rusting issue to be compliant for a 1.5 times the suggested retail value (as calculated by Kelley Blue Book) as part of their settlement for a safety recall. This case resulted in buybacks, but was not created due to fraud or deceit by Toyota Motors Company.

While the Volkswagen case is not necessarily about vehicle safety, it is about environmental safety and affects people way beyond just the vehicle owners affected. As generally recognized in buyback cases, special damages should be awarded to victims for replacement of property to mitigate the cost of replacing our vehicles and the cost of operating a non-compliant vehicle.

I hope the Court would review the settlement and recommend the following adjustments to the proposed settlement terms:

Volkswagen will compensate owners of record as of September 15, 2015 the following;

a. Full Kelley Blue Book Private Party Sale price for their car rated at an excellent condition including all options on a vehicle be it factory installed or aftermarket based on September 2015 information. Justification for this change is based on consumers cannot purchase a vehicle based on the NADA Clean Trade In Value, it is purchased at Retail Value. Aftermarket accessories to vehicles, for example, Paint Protection Film and Window tint add to a cars residual value. Participating in the buyback will cause me to need to purchase these items again for the vehicle that is purchased to replace my "eligible vehicle".

b. Elimination of mileage calculation. For years the Volkswagen TDI's have been marketed as fuel efficient vehicles that appeal to high mileage drivers. I believe a significant number of owners have put miles that far exceeds the mileage calculation in the proposed settlement. When looking for a mileage adjustment, mileage is typically taken based on when the problem was first identified in Lemon Laws. Due to Volkswagen's fraud with regard to the effected vehicles at a minimum mileage should be adjusted to as close to mileage based on an August 2015 date or elimination completely as all effected vehicles should never have been allowed to be sold. Obtaining this mileage could be difficult, but can be done. Volkswagen issued the Goodwill program that required as part of the activation of the "goodwill" mileage was reported. Any service completed at a VW authorized dealer noted mileage at the time of service. Taking purchase date and mileage intervals at services times, an average rate of use can be established to determine a more accurate mileage on the effected vehicles.

c. Include calculation for tax, title, license, and dealer document fees for buy backs. If calculation is too difficult, award of 50% of the Full Kelley Blue Book Private Party sale price of the eligible vehicle for offset of these costs.

Failure to makes these adjustments could cause more class members to opt out and therefore result in Volkswagen not achieving the removal rate established as part of the settlement.

Sincerely,

William Utech



From: Laura Vertz
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/16/2016 10:41:01 AM
Subject: Extended Warranties

Hello,

I haven't heard if individuals who purchased an extended warranty for an eligible buy-back VW TDI vehicle will also receive a refund on that amount. All of us should. Here's why:

The purchase of the extended warranty was based on the same misinformation from VW as was the purchase of the car.

An adjustment for this additional purchase should also be made to those who purchased an extended warranty.

Thank you,

Laura Vertz and John Frendreis

2014 VW Passat TDI owners

From: eddie villa
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/10/2016 2:10:56 PM
Subject: Volkswagen Settlement

To whom it may concern

I currently own a 2014 volkswagen TDI, I plan on doing the buy back because I feel duped Volkswagen AG.

I paid a premium for the diesel for these top 3 reasons:

1. Environmental, Clean Diesel and good for the environment.
2. Horse power in its class./ Fuel economy.
3. Better styling than the prius I was looking at purchasing.

I honestly believe that I should not be penalized for driving this car.

VW plans on charging for mileage.

I bought this car to drive and I have driven it for the past 2.5 years. I believe the right thing is for them NOT to charge for Mileage on the vehicle, I have since stopped driving the car but I still make the payments!!

seems like the customer is still getting ripped off!!..

Thank you

Edward Villalovos


From: Vitaly Volkov
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 10:26:57 AM
Subject: Volkswagen Comments

To Whom it May Concern:

In November of 2012, I was excited to trade in my Toyota Highlander for a brand new Volkswagen Golf TDI. I was proud to be a leader in my circle of friends, family, and co-workers by purchasing a "clean" diesel that was both fuel efficient and environmentally friendly. At the time of the purchase, I was deciding between the TDI and the regular gas model of the vehicle, but decided that I would spend the extra money on a TDI as it held its value better. This was the perfect vehicle for me at the time, but I knew I was going to need to upgrade to a bigger vehicle as my daughter, and potentially family, grew. Last summer, I was coming to terms with the realization that this vehicle was getting to be too small for us and I was starting to search for a bigger car that would accommodate my family and me. As I was zeroing in on a VW Golf Wagon TDI, the diesel scandal broke and my car's value plummeted, literally overnight. Since then, it has been almost a year that I have been handcuffed by this scandal where I cannot trade my vehicle in and my family is outgrowing it. We have spent some money on renting a bigger vehicle when we need it; however, it is always on our minds. I am glad that this scandal is finally coming to a resolution, but it has been a trying year for us for the reasons I have stated above.

I would like to thank everyone involved for fighting for the consumer in this case and I would also like to thank you/them for forcing this cheating corporation to make amends. I would like you to also consider that this corporation played with people's lives and families and this scandal held/is holding close to 1,000,000 families hostage in the U.S. I believe that whatever penalty is levied on Volkswagen is not sufficient and the compensation for the consumers, although significant, is not sufficient either.

In closing, I would just like to point out that Volkswagen made billions in profits and the upper echelon of the company received millions in bonuses and payouts while we, the consumer that had to suffer throughout this cheating scandal, get our money back for the vehicle which did not do what it promised to do when we bought it.

Sincerely,

Vitaly Volkov

From: Gary Von Oehsen
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/21/2016 7:53:34 AM
Subject: Taxing of buyback vehicles

I feel we should not have to be forced to pay the tax to the state, that I am losing out on my trade .

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 6:29:36 PM
Subject: VW Diesel fraud proposed settlement

VW's proposal to buy back the affected vehicles at NADA trade-in value only, and at 71.7% of MSRP if no NADA trade-in value had been established for September 2015, seems very unfair. VW is essentially forcing owners to either keep a car with diminished performance and fuel economy, or to trade the vehicle in at a deep discount.

I bought my vehicle less than a month before the September news release. At that age it should be considered a defective product and VW should refund my full out-the-door purchase cost including sales tax, license and registration, and dealer fees, plus finance charges I've incurred. Since there was no NADA trade-in value established as of September 2015, VW proposes that I and others in my situation pay 28.3% depreciation and another 8-10% in associated costs for their fraud.

For vehicles with established market value for September 2015, VW should pay at least private party sale value plus approximate sales tax. Many owners would have kept their vehicles were it not for VW's fraud and they shouldn't have to absorb the cost of depreciation and sales tax for being forced to purchase a replacement. Others would have sold their vehicles on the private market, not traded it in to a dealer, and similarly should be compensated according to the value they have received.

Curt Voss
[REDACTED]

From: Brian Walsh
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 10:19:27 PM
Subject: VW TDI Owner Comment

I own a 2011 VW Jetta Sportswagon TDI. Below is a letter I wrote to VW when the scandal broke. Needless to say, VW never replied to me. I still feel dirty and duped and am not happy with the proposed compensation. Why does the clock stop in September 2015? VW cheated since day 1! We should be compensated for the full amount we paid for the car. It is not the car I signed up for. In my opinion, VW is getting off with a slap on the wrist. Also, I have 130,000 thousand miles which are virtually 90% highway driving. How can a beat up TDI with the same city driving miles be worth the same as mine which is in stellar condition? And what about any extras we purchased at the time we bought the car? And sales tax, which is significantly higher in New York. This whole settlement does not make sense and is not fair. The next problem comes when I have to replace my TDI. What do I replace it with? and what is my time worth for the research, search and purchase of a new car? The only fair compensation is to refund our \$ in full. VW knows in a court of law they do not have a leg to stand on and will lose...big time. They have already admitted guilt!

***As the days go on, I am becoming more and more upset over the scandal. The only thing VW is assuring me on is that my car is still safe to drive. Well, I know it's safe to drive. That is not the problem but that is the spin VW is putting on it.

I'm obviously concerned about over polluting the environment and my financial compensation. I feel DIRTY, duped, cheated and lied to. Not to mention, at least 5 people bought TDI's directly because of my recommendation and who knows how many bought them indirectly from me. I always raved about my car.

When I bought my TDI, the dealer looked me in the eye and said VW's new clean diesel technology burns cleaner emissions than the Toyota Prius! Ha! That was the main selling point. The reason I paid thousands more than the gas version or another car make and model. DIRTY! LIERS!

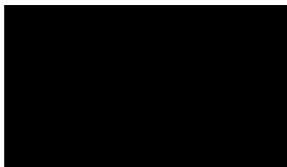
My work commute is long, 250 miles round trip, which I do 3 times a week. What will the new performance and gas mileage be? All major financial obstacles I have to deal with now. And the closest VW dealer is 1 1/2 hours away. More inconvenience. Plus I had a major mechanical repair which was a direct result of the turbo diesel. My dual mass flywheel broke due to the torque of the turbo diesel. Big \$\$ repair. This would not have happened if I bought the gas version. It may not have happened if the defeat device was not installed.

And what about resale value? What if I don't want to continue polluting at 40x the allowed rate.

Until last week I was a diehard VW customer. Now what? Major financial compensation is the only way I see myself getting your trust back. Like maybe buying my car back for what I paid. Thank you.

Feeling DIRTY and Deceived,

Brian Walsh



From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 9:19:57 PM
Subject: VW Diesel Settlement

To whom it may concern

I own one of the vehicles included in the diesel buyback. While I am somewhat pleased with the buyback value that VW has placed on the car, I am completely dissatisfied with the mileage adjustments. These vehicles were not marketed toward or purchased by consumers that drive "average" miles per year. The mileage allotment of 1,042 miles per month is an insult and is causing owners to lose a significant amount of value. It should be increased to a **minimum** of 1,542 miles per month.

James Walters

From: Matt Wasdyke
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 12:31:49 PM
Subject: Pending VW Diesel Settlement Comments

To Whom It May Concern:

I understand that the VW Diesel Settlement is a complicated matter and that there is a process to go through, but it has been more than nine months since the scandal broke and VW needs to make things right with affected owners soon and in a timely manner.

There are owners like me who were just about to sell or trade-in their affected vehicle when the scandal broke and we've been unable to do so without significant financial loss. As for my situation, my family needs a bigger car for a growing family and we do not have the means to purchase or lease another car without first selling or trading in our affected VW diesel. Even if this were to be resolved today, we will have put another year's worth of miles on the car than we would have; this will surely affect even the increased value or compensation that VW gives in a buy-back situation versus when we would have sold or traded in the car to begin with.

Affected VW owners have waited a long time for this to work through the courts. Timely resolution and compensation to owners is important to minimize any reduced values even on top of any VW added compensation.

Sincerely,

Matthew Wasdyke



From: Austin Watson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 12:21:47 PM
Subject: Comments on VW Diesel Emissions Settlement

Hurry up and get the VW Diesel Emissions Settlement done!
I want this car out of my life as soon as possible.
Those people did evil. Make them pay dearly.

That's my comment

- Austin G Watson

Owner of 2013 VW PASSAT TDI SEL VIN [REDACTED]

[REDACTED]

From: Brian Lyndon Watson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 2:20:27 PM
Subject: Comment, Brian Watson

Dear Sir/Madam.

I do not believe that the proposed settlement is sufficient. I do not feel that it is fair and certainly does not begin to cover the costs that are associated with even replacing my VW TDI with a car of similar "perceived" quality. The settlement also appears to fail to take into account the costs associated with buying a car such as sales tax and registration, which are significant and ones which I have already invested in the ownership of my current car and will need to invest in my future car. In my case, I moved to [REDACTED] shortly after purchasing my car in Arizona and had to pay the sales tax and registration again in [REDACTED].

I have also purchased add-ons for my car such as roof racks and bike-trays which are specific to this model. These are not in any way cheap items and I will lose the money spent on these. There is also then the cost associated with not having a car following the buy-back, the commuting cost required to visit dealers and carry on with my life, shopping, commuting to work etc in the period between getting the money from VW and being able to find and buy a replacement car.

Importantly, the settlement makes no mention of which milage will be taken into account in the buy-back. Is it the milage of the car when VW was exposed. Is it the current milage? I believe that the vehicles should be treated as vehicles with 0 mi on them. The current milage on the cars is not the milage that was on the cars when VW was exposed for cheating and when VW was exposed was arbitrary. The value of the cars according to the book value of 2015 with 0- 10k mi is appropriate. This needs to be clearly stipulated.

The book value we should be paid should not be the trade in value. Selling a car in an open market allows a person to obtain a better resale value. The buy back should be at the independent sale book value, not the trade in book value of September 2015.

The cash compensation should be at least 40% of the independent sale book value of September 2015 of the model of TDI with 0- 10k mi on the clock. The 30% cash offered on top of the buy-back value of the car is in some ways appropriate for having been defrauded by VW, as compensation for being wronged, but certainly not when one considers all of the peripheral costs associated with buying a car, registering it etc. The court must do better.

Finally, and very importantly, in the State of [REDACTED], I have not been able to renew my vehicle registration since April. This means, that due to VW defrauding me, I have not been able to drive my car legally in the state of [REDACTED] for 3 month now. Let that sink in. The DMV in [REDACTED] is refusing to allow me to register my car without evidence that the car has been "fixed". No fix occurs. I have been assured by VW that I may still drive my car until this case is finalized. This is not true. As it turns out, I may only drive my car illegally. Legally, my car should be parked in the driveway and should have been there for 3 months. What compensation is there for this? What compensation is there for having just paid this registration fee and receiving nothing for it.

Sincerely,

Dr Brian Watson



From: Brian Wavernek
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/17/2016 8:47:27 AM
Subject: comment on the tdi settlement

I don't think that allowing depreciation at the time the scandal broke is a fair consideration in the settlement. All that does is offer a way to sell a car that is essentially not sellable. A premium was paid for the clean diesel technology when similar fuel efficiency could have been found in other less expensive cars. If I was deceived in buying an appliance or electronics, I would expect to be able to go back to the retailer for a full refund. Trade in value from Volkswagen should be for the full purchase price. Alternately a cash buyback (not purchasing another vw) could account for depreciation, but the customer needs to be allowed a "full value" refund option. After paying 90% of my loan, the current proposed settlement would still have me losing money on a car that was sold as something it is not.

Thank you,

Brian Wavernek
2011 Jetta Sportwagen

Sent from [Mail](#) for Windows 10

From: Tom Weiss
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 11:44:03 AM
Subject: Comment on Proposed VW TDI Settlement

In reading the details of the *PROPOSED* settlement, I am having a hard time understanding the large reduction in potential benefits for lessees as opposed to owners. Some initial thoughts as to deficiencies in the settlement are:

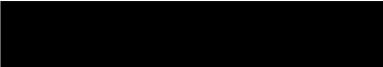
1. No minimum restitution for lessees vs \$5,100 minimum for owners
2. 10% variable component for lessees vs 20% for owners
3. Fixed component set at \$1,529 for all lessees
4. No consideration for the percentage of the lease term already fulfilled
5. No compensation for continued lease payments from September 2015 through settlement
6. No compensation for lease down payment
7. No compensation for higher lease payments for TDI vs similar gasoline powered vehicle
8. No compensation for sales tax paid on the entire value of the lease payments
9. No consideration for guaranteed residual value of the vehicle at the end of the lease term
10. No consideration for potential equity at the end of the lease term. When I traded my 2012 VW Jetta SportWagen TDI for my current vehicle before the end of lease term, its value was significantly more than the guaranteed residual value, allowing me to roll the equity into my current lease. Because of the TDI scandal, I lost all equity in my current lease.

In reality, I will likely only have about six months left on a 36 month lease (*originated April 2014*) at the time of settlement. I cannot find a source with the September 2015 NADA User Car Guide, Eastern Region in order to determine the Base Value (*September 2015 NADA Clean Trade value*) of my vehicle (*2014 VW Jetta SportWagen TDI with 6-speed manual transmission, Panoramic Sunroof, and Nav package*). The original MSRP of the vehicle from window sticker was \$30,475. If the Base Value is determined to be \$20,000 (*guesstimate*), **my estimated restitution is limited to \$3,529 (i.e., 10% of \$20,000 variable component plus \$1,529 fixed component)**. **Something does not set right with me given that an owner of a purchased 2009 TDI (five years older) would be guaranteed minimum restitution of \$5,100 (in addition to the vehicle buyback), yet I will will receive significantly less!**

Questions:

1. How is the environmental impact of my leased vehicle any different than that of a purchased vehicle over the same time period?
2. Why is the economic impact to me as a lessee considered to be worth thousands of dollars less than if I purchased the vehicle, especially when those that purchased a vehicle are being offered additional funds to adjust for negative equity situations.

Thanks,
Tom
--
Thomas G Weiss



From: Stereo Sean
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 12:20:50 AM
Subject: VW TDI disappointment

To Whom It May Concern;

I am writing in an effort to receive satisfaction regarding my 2015 VW TDI Golf Sportwagen purchased on July 26, 2015, just 20 days before this totally unacceptable scandal broke. My main issue is with the settlement and subsequently the sale of the car. This should be treated as a lemon and full retail price plus sales tax should be refunded. My second issue is the actual sale, playing back the events leading to the sale, I feel the dealer absolutely knew the scandal was about to broke and knowingly misled us into purchasing the vehicle. I feel they had absolute intentions of fraud and deception selling me this car, as well as prior knowledge of impending litigation.

The sticker price was over \$25,000.00

The purchase price was \$22,731.47 + \$1036.56 in sales tax

My down payment was \$3900.00

I have 25,000 miles so I have a \$810 mileage adjustment

We purchase a roof top carrier from VW dealer for \$1000

We have paid 11 payments of \$367.33

So how is it my "amount paid to you " from calculator yields me only \$779.60 ?

How is it my additional restitution is only \$3233.07 and not the minimum \$5100

I'm actually losing \$5000 plus sales tax.

Please help me.

Sean Whelan

From: Stereo Sean
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 8:20:46 PM
Subject: RE: VW TDI disappointment

Surprised to see you have not replied. How are you allowing this. **It's soo ridiculous , the settlement website says to comment contact FTC oe court, without even linking or showing website. The deception continues.**

From: Stereo Sean [mailto:████████████████████]
Sent: Wednesday, August 03, 2016 12:21 AM
To: 'pubcomment-ees.enrd@usdoj.gov' <pubcomment-ees.enrd@usdoj.gov>
Subject: VW TDI disappointment

To Whom It May Concern;

I am writing in an effort to receive satisfaction regarding my 2015 VW TDI Golf Sportwagen purchased on July 26, 2015, just 20 days before this totally unacceptable scandal broke. My main issue is with the settlement and subsequently the sale of the car. This should be treated as a lemon and full retail price plus sales tax should be refunded. My second issue is the actual sale, playing back the events leading to the sale, I feel the dealer absolutely knew the scandal was about to broke and knowingly misled us into purchasing the vehicle. I feel they had absolute intentions of fraud and deception selling me this car, as well as prior knowledge of impending litigation.

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I'm actually losing \$5000 plus sales tax.

Please help me.

Sean Whelan

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: wieczorek, djay
Sent: 7/27/2016 3:37:59 PM
Subject: Feedback - The current proposed settlement lacks sufficient fairness to TDI Owners

Hello,

I want to provide feedback, but instead of writing my entire own view, the below written by Colin Comer and electronically published on July 26, 2016 – Link: <http://www.roadandtrack.com/car-culture/news/a30118/vw-emissions-settlement/> -- pretty much sums up how the current proposed settlement lacks sufficient fairness in term of compensation to TDI “Owners”. Specific issue to address are “RETAIL VALUE” vs. “TRADE IN VALUE” (gee, the older the car, the less the depreciation and boy, would I not get trade-in value at any time I trade a car in....) to make a long term owner whole, the fact an Owner MUST DECIDE what to do WITHOUT FULL KNOWLEDGE of any POSSIBLE fix or if the car may be driven legally in ANY State later (i.e. it is like a doctor sending a person to surgery without telling them what the procedure will do and what will happen; i.e. you have hemorrhoids, but they might amputate you legs as well, just go in and hope for the best?), and the fact that in many States there are additional penalties (such as treble actual damages) beyond making a person whole for Fraud (did not VW attest under penalties of Fraud these vehicles met the emissions standards for YEARS...). Why settle for the unfair treatment when a person can go to small claims court for the Fraud event for a fairer settlement.

Sincerely,

Alfred Wieczorek

VW's Emissions Settlement Is a Raw Deal for Its Most Important Customers

BY: COLIN COMER - JUL 26, 2016

Today—Tuesday, July 26th—is the court hearing for Volkswagen Group's preliminary approval of their proposed 2.0L TDI owner settlement (Update: It was approved). In case you haven't seen the details of the Partial Consent Decree that went public June 28th, it provided buy-back prices for the roughly 470,000 "Clean Diesel" 2.0L TDI powered Volkswagens and Audis (Jettas, Golfs, Beetles, A3s) sold between 2009 and 2015. It also provides for additional cash restitution to the owners of \$5,100 to \$9,800 on top of the buyback price, a sum arrived at by taking 20 percent of the trade-in value of your car in August of 2015 (pre-scandal) plus \$2,986.73 but not to be less than \$5,100 in any case (you can see the exact numbers here).

Or, assuming the EPA approves whatever fix VW comes up with to be emissions compliant and you want to keep your guaranteed-to-be slower, louder, and thirstier TDI, then VW will perform the recall and give you a check for the same restitution number outlined above.

That's VW's solution to make good. But it actually shorts VW's most important customers: Original owners who purchased or financed a new TDI (Full Disclosure: My wife is the original owner of a TDI and, as there is no interest like self interest, we've carefully read all of the court documents). Lessees, on the other hand, will come out nicely with the restitution money and their leases voided without any penalties.

I know a lot of TDI owners saw the proposed settlement numbers and thought they were great. But when you really look at it, are they? TDI owners were sold a bill of goods and—after 16 years of knowingly defrauding consumers—VW has somehow found a way to share the financial downside of being caught with the very consumers they lied to.

NO MATTER HOW YOU SLICE IT, VW SPENT 16 YEARS PERFECTING WHAT IS UNQUESTIONABLY

WHOLESALE FRAUD ON A LEVEL UNHEARD OF TODAY.

No matter how you slice it, VW spent 16 years perfecting what is unquestionably wholesale fraud on a level unheard of today. This "cheat device," referred to internally at VW as the "acoustic function," was in its sixth generation when discovered. Yes, six versions of it were carefully engineered over a decade and a half to fool regulatory agencies and not be detected. All the while VW hung their hat on the "Clean and Green" and "Clean Diesel" sales pitch knowing their cars were anything but—polluting at up to 40 times the legal limit anywhere but on an EPA dynamometer. They knew that without this cheat device that their cars would not perform and would not make the numbers for either fuel mileage or longevity. By all reports this was not some back room secret or an outside supplier pulling the wool over VW's eyes; this was a company-wide choice that went all the way to the top. Internal emails have been discovered talking about how they wouldn't get caught, and even after they did instructing VW Group employees to stonewall authorities and not explain the cheat device. Further evidence has surfaced that VW employees began destroying documents as soon as they were tipped off that investigators would be coming.

There isn't a level this isn't appalling on.

And don't forget: The US is just a part of VW Group's worldwide market as well. It is estimated that there are eleven million VW diesels currently operating with the cheat device software in place. In any other industry it would be unheard of to defraud consumers to this extent and then be allowed to negotiate a settlement where original owners get a percentage of their money back.

If Apple sold a product that was found to be as falsely advertised as TDIs what do you think the outcome would be? Partial refunds at wholesale level? A little remediation money for the damage done to the environment? A software fix and a check to make you go away? I doubt it.

It won't happen but I don't know why VW Group isn't being forced to refund every consumers full purchase price, including the sales tax they paid, plus any direct damages (maintenance, upgrades, etc.) plus restitution to make right for the fraud. Make people whole, not almost whole. Buying a new car is hard enough for most people, and who wants to do that again?

Ok, so VW isn't giving full retail value. Fine. The problem? The value of the buyback and additional restitution is determined from NADA Book trade-in value, which is essentially wholesale. That doesn't make customers whole. It is buying back the car they bought new, at retail, for its depreciated used-car value. And the older the TDI is the less VW has to pay. Here's the bigger question: Why does this trade-in value proposal exist when it clearly contradicts the agreement laid out in the 225-page Partial Consent Decree posted on the FTC's website that, in part, reads:

IV. PARTIAL INJUNCTIVE RELIEF A. Buyback, Lease Termination, and Vehicle Modification Recall Program (Appendix A) 9. Settling Defendants shall implement the Buyback, Lease Termination, and Vehicle Modification Recall Program in accordance with the requirements set forth in Appendix A as one element of the remedy to address the Clean Air Act and California Health and Safety Code violations. 10. Settling Defendants shall remove from commerce in the United States and/or perform an Approved Emissions Modification (as described in Section IV.B) on at least 85% of the 2.0 Liter Subject Vehicles as set forth in Appendix A. Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle the option of the Buyback of the Eligible Vehicle at a price no less than Retail Replacement Value, or the Lease Termination in accordance with the terms specified in Appendix A.

How is trade in value the same as "no less than Retail Replacement Value?" Will VW open a special online vehicle sales marketplace where TDI owners will be able to take their buy-back check and purchase a replacement vehicle at wholesale, err, trade-in value? And, what about the sales tax credit every owner will lose? Typically that has been the only advantage to ever trade in your car when buying a new one, the simple fact that depending on your states sales tax rate, that you are exempt from tax on whatever the trade amount is. That is a savings of 5 to 9 percent on top of whatever you get for your trade. For example if you get a \$27,000 trade credit and your tax rate is 7.95 percent you save \$2,146.50 in tax on your new car. Meaning your net trade amount is actually \$29,146.50.

TDI OWNERS AREN'T TRADING IN: THEY ARE SELLING OUTRIGHT TO VW

But TDI owners aren't trading in: they are selling outright to VW and having to Uber somewhere else to get a

replacement vehicle. At retail. With full sales tax. The only possible silver lining is that, according to the proposed agreement, you can elect the buyback option, lock in the price, but you don't actually have to turn the car in until September 1st, 2018. So there is potentially two more years of "free" driving, if you don't mind the stigma of being a gross polluter. The TDI emblems come off easily enough, though, and a new 1.8T emblem is \$20.00 on eBay. . .

Even worse, beyond all of this, what has VW done to give diesel power a black eye in general? It took decades to change public perception after the horrible diesels that were thrust upon us in the late 1970s and early 1980s.

It will be interesting to see what happens with the settlement moving forward, as well as the criminal charges pending against VW both here and in the rest of the world. VW owners have proven to be a loyal bunch but I just don't see how this is something that can be Fahrvergnugened away. From where I sit VW, even with this multi-billion dollar penalty, has been given the deal of a lifetime, at least for now. And they should be happy consumers are fickle. Hey, we'd already forgotten the "sudden unintended acceleration" thing. Right?

Colin Comer is R&T's resident used car buff. If you couldn't tell, he doesn't think the VW Diesel settlement is a good deal for consumers.

From: Williams, Charles E.
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 3:14:35 PM
Subject: Comments to U.S. V. VOLKSWAGEN GROUP OF AMERICA, ET AL.

*This letter is in response to the proposed settlement for Volkswagen diesel owners. I am writing to provide my feedback and concerns with the settlement as presented. As a whole, I do not object to the settlement, and feel the structure and timeframes are realistic and fair. I do have objections to the methodology used to determine the buyback amount. As a Volkswagen owner, the settlement is structured so that it is favorable for me to sell my car back rather than wait for **POSSIBLE** fix. Though technically I am not being forced, I am essentially being driven to have my car bought back. The proposed settlement is using a "Trade-in" value plus twenty percent. The problem with this is that amount does not capture the cost to purchase a replacement vehicle. To support this, the below shows the price difference between RETAIL (replacement cost) and TRADE value (the amount used in the settlement)*

ALL DATA TAKEN FROM NADAGUIDES.COM 06/30/2016 *Gas option used due to skewing of Diesel Values

*Jetta Gas 2.0L Turbo
 \$6675.00 TRADE IN \$9125.00 RETAIL 36% DIFFERENCE*

*Jetta Wagen 5 cyl
 \$7150.00 TRADE IN \$9700.00 RETAIL 35% DIFFERENCE*

*Golf 4 door 5 cyl
 \$6025.00 TRADE IN \$8200.00 RETAIL 36% DIFFERENCE*

As you can see from the above the average difference between "Clean Trade In" and the Retail price is not 20% as used by the settlement but around 35%. This shortchanges Volkswagen owners a considerable amount of money.

Using my vehicle as an example, a 2010 Jetta TDI Sedan, my buyback amount is 14027. Subtract from that number \$2986.73 (the amount of owner compensation) and you get \$11,040.27. This would be 120% of the NADA clean value. This means the NADA clean value for my vehicle used was \$9200.00. Using the more realistic 35% difference between retail and trade-in, my total compensation should be \$15,406 a difference \$1,379 dollars.

The second issue I have with the proposed settlement is once my vehicle is bought back, I am now without a vehicle and I have to purchase a replacement vehicle. A lot of fees come with purchasing a replacement vehicle such as the traditional tax tag & title, vehicle dealer processing fees etc. (all in the fine print of dealership ads) This creates a tax liability for me as I have to pay sales tax on the new vehicle. In addition I have to pay the dealerships processing fee. As a resident of Virginia, this fee averages \$400 dollar. Volkswagen is not offering compensation for the sales tax that would be needed to be paid on the new vehicle purchase or the dealership fees. Using my vehicle as an example, and the replacement cost value, Sales Tax is \$631.00. Add to that the dealership fees and there is an additional \$1000.00 that owners are not being compensated for.

Here you can see how I am being shortchanged on my 2010 Jetta TDI.

Difference between "Clean Trade in" and Retail: \$1,389.00
Virginia Sales Tax: \$631.00
Dealer Fees: \$400.00
Total difference: \$2420.00

I propose that the final settlement be based on a "Retail" replacement value and that it includes compensation for sales tax (if applicable) and dealer processing fees. This buyback situation is not unlike what the insurance industry deals with on a daily basis for the total loss of a vehicle. Insurance companies do NOT provide the "trade-in" value. They use what is referred to as the "Actual Cash Value" (ACV) for a vehicle AND they include taxes / fees.

Below are excerpts from the three largest auto insurers on how vehicle value is calculated for a total loss.

State Farm "We'll pay to repair, replace, or furnish the agreed upon **actual cash value of your property**, subject to the terms and conditions of your policy"

Berkshire Hathaway (GEICO) "Pay the **actual cash value of the vehicle (plus applicable state fees and taxes)** less any deductible."

Allstate: "Sometimes, it might cost less to replace your car than to repair it. In that case, many policies will pay the **actual cash value**. Determining the cash value of your car will depend on its condition, prior damage and local market pricing."

As you can see, the insurance industry, experts in buying vehicles back, use ACV and include compensation for taxes and fees to make their policyholders whole again.

As Volkswagen owners, we have been troubled by the events that have drug out over the past year. We were lied to and given false information at the time of purchase, and during our ownership thru countless commercials advertising a clean product with a "high resell value" We need made whole.

The proposed settlement is a good start to making owners whole but fails to completely address the compensation that is due.

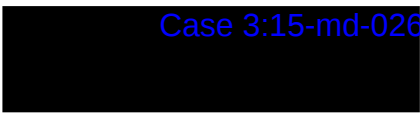
I concur with the final settlement being approved with the "Clean Trade-in" value being changed to the "Clean Retail" amount or Volkswagen use Actual Cash Value (ACV) like the auto insurance industry does. In addition, Volkswagen should compensate owners for sales taxes and fees that they will incur as part of making them whole.

Respectfully,

Charles E. Williams

Owner, 2010 VW Jetta TDI Clean Diesel





From: James C. Williams
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 11:07:49 PM
Subject: VW Diesel Emissions Settlement

To Whom It May Concern:

As an owner of a 2012 Jetta TDI, I believe the proposed settlement is very appropriate. I encourage all parties to implement the buyback process as described therein.

Thank you,

James C. Williams
[REDACTED]

Sent from my iPhone

From: Kent Wimmer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/9/2016 10:57:13 PM
Subject: Comments on the Proposed Volkswagen Class Settlement Agreement

Dear Assistant Attorney General,

As an Eligible Owner as defined by the proposed Volkswagen Class Settlement Agreement, I am directly affected by the proposed Volkswagen Class Settlement Agreement. Please accept my comments to the proposed Volkswagen Class Settlement Agreement.

The compensation package offered is not sufficient to account for the significant unexpected financial hardships and personal disruptions created by the Volkswagen deception. Because I purchased my VW new, I paid a premium price for this vehicle with the expectations of advertised levels of performance and economic efficiency that I would be able to enjoy for the life of the vehicle. I was willing to accept the immediate depreciation of the vehicle's value as soon as I drove it off VW dealer's lot having the confidence that I would be able to recoup this value over the vehicle's normal service life. The settlement does not fairly compensate for this anticipated loss of economical service and performance service as promised by Volkswagen.

Specifically, the proposed Settlement Adjustment does not adequately compensate owners who accept the Approved Emissions Modification for the potential long-term diminution in value of the vehicle. Because the Settlement Adjustment is the same for those who accept Buybacks and Emissions Modification, the payment reflects only loss of past value and does not account for future diminishment in value. The Settlement Agreement should include additional Settlement Adjustment compensation for those owners who select vehicle modification to compensate for this anticipated loss. This is especially troubling since VW will not have to pay for vehicle transportation and disposal costs otherwise allowing this windfall to be passed onto the consumer. The cost of VW modifying emissions of vehicles legally returned to service should not be considered by the Court as VW should have sold vehicles that met pollution regulations in the first place. Additionally, as a person who is conservation professional and was enticed to purchase this "green" vehicle to conserve fossil fuels, the best conservation outcome would be to keep this vehicle on the road rather than scrap to build a brand new vehicle.

Additionally, this settlement creates economic uncertainty for these owners by not having an Approved Emissions Modification plan. This uncertainty is compounded by potential failure of these vehicles to comply with government air pollution regulations in the future and the owner's diminished ability to continue to legally operate this vehicle. This economic uncertainty is compounded by potential consumer protection regulations that may restrict an owner's ability to sell the vehicle.

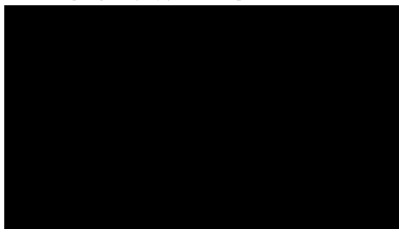
The current settlement should be restructured to remove the economic penalties to the owners who wish to accept the emissions modifications option. As written the settlement provides no assurances that emissions modifications will be approved and no provisions that they be acceptable to the owner. Because acceptance of the emissions modifications may not be determined until May 1, 2018 (nearly two years), these owners will continue to add miles to their vehicles and therefore the settlement payout will be less because additional miles reduce value adjustments paid to these owners. The mileage adjustment should be fixed at the vehicle's mileage as of the settlement date (July 26, 2016) instead of the date the owner ultimately accepts the settlement offer. The settlement should also provide owners who have the approved emission modifications performed to be granted 90 days to evaluate the performance of the vehicle before deciding to retain the modified vehicle or accept the terms of a Buyback.

In the event the Court will not accept the above changes to the settlement, I recommend the settlement be structured so owners may stipulate that they may elect to be included in the Class to participate in the Settlement and receive the Settlement payment without being required to accept either the Buyback or Approved Emissions Modification until 90 days after the Emissions Modification is approved or 90 days following May 1, 2018. In the event that the Emissions Modification is not approved, the current provision granting owners only 30 days to accept a Buyback or

exclude themselves from the Class is not sufficient time for owners to make that important decision..

Thank you for considering these comments. I have identified myself and my "Generation 1" 2013 VW Jetta TDI to Volkswagen by accepting the VW Goodwill Package and have registered on www.vwdieselinfo.com.

Kent L. Wimmer



From: Kent Wimmer
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/26/2016 5:10:46 PM
Subject: Addendum to Kent L. Wimmer's July 9, 2016 Comments on the Proposed Volkswagen Class Settlement Agreement

Dear Assistant Attorney General,

As an Eligible Owner as defined by the proposed Volkswagen Class Settlement Agreement, I am directly affected by the proposed Volkswagen Class Settlement Agreement. Please consider this addendum comments to those I submitted to you on July 9, 2016. Upon further review of the proposed settlement,

The compensation package offered does not meet the terms of the Consent Decree. is not sufficient to account for the significant unexpected financial hardships and personal disruptions created by the Volkswagen deception. As stated in IV. PARTIAL INJUNCTIVE RELIEF A. Buyback, Lease Termination, and Vehicle Modification Recall Program (Appendix A) 9, "...Settling Defendants must offer each and every Eligible Owner and Eligible Lessee of an Eligible Vehicle the option of the Buyback of the Eligible Vehicle at a price no less than Retail Replacement Value, or the Lease Termination in accordance with the terms specified in Appendix A." The amount offered is determined from NADA Book trade-in value which is essentially the depreciated used-car value of the car and is not sufficient to replace this my Volkswagen without suffering significant financial loss due to compensated depreciation, sales taxes paid, interest on loan payments and enhancements that I made to the vehicle.

To be fair to customers like myself which purchased a new Volkswagen should refund those purchasers the full purchase price, including the sales tax paid, plus economic damages for enhancements made to the vehicles in addition to the restitution for fraud. At the very least, the settlement should require Volkswagen should grant those who sell their fraudulent Volkswagen diesels back to Volkswagen the right to purchase a replacement vehicle from a Volkswagen dealer at that vehicle's trade-in value since Volkswagen is only paying trade-in value for they buy-back vehicles.

Thank you for considering these additional comments.

Kent L. Wimmer



From: Santino Winfrey
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/31/2016 3:17:06 PM
Subject: Vw diesel

Hi I lease a 13 vw tdi and I've paid 12000. Under the current deal all I'm going to get is 3000. That doesn't help me out at all. They could at least give me back the money I've paid in

Sent from my iPhone

From: Marc Lee Winnig
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 10:36:34 AM
Subject: FIXED AND REVISED: 2014 VW TDI SportWagen Customer Comment

(Re-send of typo-fixed revised comments which were sent as MIME text (garbled)... sorry!)

Thank you for allowing customer and other input.

I purchased the above-referenced vehicle based largely upon VW's misleading and fraudulent marketing practices. Like most who bought these vehicles, we thought we were buying a fuel-efficient low-polluting vehicle with reasonable performance, and, in my case, reasonable storage capability. As we all know know, they sold us a lie.

While we all know a vehicle is a depreciating asset, it is still an asset. We spend a great deal of time and money trying to make a good purchase. I put over \$5,000 down and agreed to a 5.9% interest rate payment, paid taxes, registration, insurance, and purchased vehicle-specific accessories all with the understanding that these costs would be amortized over the significantly long life of the vehicle. Like other buyers, I thought I was doing something good for the environment. If I wanted to "lease" the vehicle, I would have done so!

My position is that even paying me 100% of what I paid for the vehicle does not make me whole! I am no longer in a position to purchase a replacement vehicle, so even giving me my money back, does not make me whole. And nothing short of more than I paid begins to compensate me for the time, effort and aggravation.

The best analogy I can think of is this:

It's like VW broke into my house, stole my stuff and fenced it, got caught, and now wants to "make it right" by telling me what they think my stuff (which they cannot get back) is worth! I don't think it should work like that! While their proposed offer may SEEM reasonable on the surface, I start at what I paid and go up, not down! And how far someone drove (I am below average miles) shouldn't really matter! What about condition? I am the guy who walks across the parking lot after parking in the far corner to avoid dents and dings! My car is in well-above average condition.

And what about the bet VW made? They knowingly sold the vehicle in violation of EPA and consumer fraud laws. I understand the EPA penalty is \$35,000 per vehicle. That is the bet they made. Perhaps THAT is the number they should be required to pay.

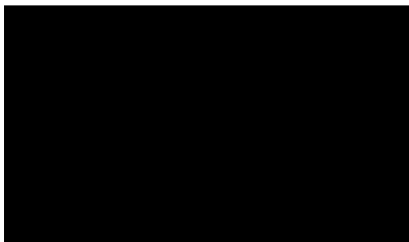
Please do not allow VW to tell me what they think I am entitled to. Listen to those of us who have been affected by this scandalous behavior. Make us whole AND compensate us for our true losses.

One more thought... I also believe VW Credit to be a co-conspirator! Since what I essentially bought was a low-polluting, high-efficiency vehicle with reasonable performance and carrying capacity, please consider making VW deliver on that promise. Under the contractual concept of "specific performance" I believe VW Credit should be made to finance me in a vehicle which delivers on VW's promise, regardless of the manufacturer, at the same or better terms which were offered to me when I made my purchase. Thinking I will just love my new Tesla Sportwagen! (Yes, maybe VW should have to collaborate with a manufacturer who can actually deliver the vehicle they purported to have sold me).

Thank you for considering my input. I hope you will take it seriously and tell VW they need to truly make us whole, and it needs to be on OUR TERMS, NOT THEIRS!

Sincerely,

Marc Lee Winnig



Sent via the Samsung Galaxy Note5, an AT&T 4G LTE smartphone

From: Marc Lee Winnig
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/28/2016 10:10:10 AM
Subject: 2014 VW TDI SportWagen Customer Comment

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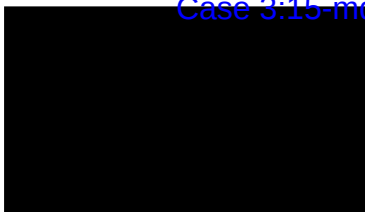
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Thank you for considering my input. I hope you will take it seriously and tell VW they need to truly make us whole, and it needs to be on OUR TERMS, NOT THEIRS!

Sincerely,

Marc Lee Winnig
[REDACTED]



Sent via the Samsung Galaxy Note5, an AT&T 4G LTE smartphone

From: Kenneth Wolf
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/12/2016 5:56:13 PM
Subject: Volkswagen TDI Settlement

To Whom it May Concern,

My Situation: I currently lease a 2013 Volkswagen Jetta TDI. I am a college student and had originally leased my Jetta with the intention of buying it at the end of the lease. I was allowed 10k miles a year on my lease and today am over my allowance by 7k miles. I had put excess milage over my lease allowance because I live approximately 50 miles north from my college (100 miles round trip). I commute 5 days a week to my campus and the high milage never concerned me because as I said, I had intended to purchase the car at the end of the lease. Now with the TDI recall, I no longer would want the car at the end of my lease.

What I would like to Comment on: I agree to the \$3,026 Volkswagen would provide me in compensation. What I still haven't heard was whether or not I would have to pay milage overage penalties for going over my leases allowed milage. As a student in college, I am not in the position to pay for something like this (plus lease/purchase a new car), especially when it was out of my control. I would consider leasing or purchasing a new Volkswagen after VW terminates my lease if they did not charge mile overage penalties.

Thank you so much for providing me the opportunity to comment on this case.

Kenneth Wolf



From: Craig Wood
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 3:36:31 AM
Subject: Upset, but thankful

To whom it may concern,

I finally found a car my wife could love and take care of. Prior to this, we have gone through two cars. One had a problem with trash cans jumping in front of her, and the other had about a gallon of grade b honey trapped in the passenger seat. The car she loved as a baby was a new TDI beetle convertible, in the color of blue jeans. Two years after their mutual love, the VW scandal happened.

The scandal has been a household of topic every week, and sometimes daily for weeks at a time. I am excited to sell the car back and give good riddance to VW for life. She wants to turn in her car and get a new VW convertible in the new green you're offering. Her opinions usually win out. I think you won a return customer with your actions that aim to make things right. We still have to go through the buyback process, and time will tell if things progress as they should. In the end, I'm still upset about the deception, but I am also impressed with your response so far.

Thank you for your time.

Sincerely,

Craig

From: [REDACTED] on behalf of Dane Woodard
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 5:40:00 PM
Subject: Public Input

re: Volkswagen ``Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386

To whom it may concern,

I am writing as an owner of a 2011 VW Jetta TDI.

There are two key elements that the proposed settlement does not address. The first being offering trade in value versus resale value. If I am being forced to sell my vehicle at a minimum I should be entitled to fair resale value. It is well known that dealerships use trade in value as a number for them to make a profit off of, not as a number for a buyer buy a similar vehicle.

The second concern is that there is no compensation for future use loss. The TDI engine has value in its longevity. It would be appropriate for payment made for this loss. The owners could be compensated in a similar way as the mileage adjustment. Take the average life of the TDI vehicle and compensate the owners for the difference in age of their vehicle from the average. When I purchased the vehicle I was sold on the longevity of the engine. I am now being forced to lose that value because of no actions of my own.

I hope that this input as well as that of other owners is taken into account. As of now the settlement is heavily biased towards VWAG.

Regards,

Dane Woodard

From: Blair Woods
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/19/2016 8:52:05 AM
Subject: VW diesel settlement comment

Hi:

I am the owner of a 2009 VW Jetta Sportwagen TDI. I have read conflicting reports of the settlement, including the possibility that the condition of the car may be taken into consideration during the buyback process. When it became evident in the fall of 2015 that my car would be part of the buyback, i quit doing the routine maintenance and I don't feel that the condition of the car has any bearing on what is owed to me. Up until that point, I was meticulous in maintenance.

I paid a premium for the car in May of 2009 when I bought the car. It had just been named Car of the Year, our dealer had one allocated for the month of May. We bought the car AT THE FULL STICKER PRICE sight unseen with no discounting whatsoever almost one month before taking delivery. We paid a premium for diesel fuel (it was always at least 25 cents per gallon more than gas in New York State). We did all of this assuming we were helping out environmentally. If anything, compensation should actually be reverse – those of us who have had the cars the longest should get the most compensation.

Thank you for the opportunity to comment. I am looking forward to getting rid of my car this fall.

Blair Woods



August 2, 2016

Department of Justice
RE: Proposed Diesel Fraud Settlement

Dear Court and legal team,

As the owner of a 2009 VW TDI Sportwagen, I have enclosed evidence from August 28, 2008 supporting the amount I was defrauded of, directly by one of VWofA's franchised dealers. My cost of \$28,348.91 exceeds a proposed buyback amount, of \$8,000 plus a claimed \$5,100 compensatory amount.

My objection is based upon inadequate compensation, on the basis of inequities the proposed settlement method creates. It is not made in criticism of the size of VW's payout to the entire Class. Specifically, the proposed settlement:

- **Neglects amounts paid.**
- **Neglects sales taxes.**
- **Arbitrarily subsidizes depreciation.**

Neglects amounts paid

The enclosed will show I paid \$1,310 in excess of full MSRP, for the vehicle. This is before sales taxes, or travel costs to, and from, MD. With no consideration of these amounts, and only the \$28,348 purchase contract price, the settlement proposes a \$15,248 reduction in the value of my car. As you must know by now, thousands of others will be getting more than they paid. By not considering amounts paid, particularly for used vehicles in the 2011-2014 model years, this buyback grossly miss-aligns its compensation. Purchase prices are a missing ingredient which may expedite the proceedings, but at the apparent expense of the Court and legal team's obligation to establish a fair payout within the Class.

Neglects sales taxes

Sales taxes were part of my transaction, and will be a liability faced when my car is returned for another. My understanding is this buyback is outright, and not a trade. Whether compensated for the loss of sales tax credit (in states where this applies), or compensated for relevant taxes and fees paid at the front of the fraudulent transaction, there should be restitution for these amounts before any "generous compensation", above being made whole, can be defined.

Arbitrarily subsidizes depreciation

VW conducted as much fraud selling a 2009, as they did with a 2015 TDI. While age may be a reasonable consideration in the buyback formula, freezing buyback prices to 2018 hands owners of later model year vehicles compensation which earlier model year owners are consequently being denied. Earlier model years within the class were near fully depreciated when buyback values were frozen, on 9/18/2015. From the perspective of the defrauded, there is no apparent justification for paying some owners above their purchase prices, and then further extending this

benefit to 2018. While these owners gain on their sale and lose nothing with respect to age, many older model owners are losing \$15,000 on vehicles which cannot be expected to last until this time.

While it may be in Volkswagen's, the Court's and the legal team's interest to rapidly handle this case, I hope you will reconsider all its defrauded. There are other reasons owners, such as me, incurred costs not addressed by the proposal. Numerous older, not newer, vehicle owners have paid for exhaust repairs on Volkswagen's fraudulent system, including the subject Lean NOx Trap (LNT). This settlement's total generosity is outweighed by the inefficiency of its distribution.

Thank you,
Chris Woodward
2009 TDI owner

2009 Jetta SportWagen TDI

Exterior: Blue Graphite Metallic Exterior Interior: Art Gray Interior

Good clean diesel fun. It's what the people want.



STANDARD FEATURES (unless replaced by options)

PERFORMANCE/HANDLING

- 2.0L 140 horsepower, 238 hp-ft torque (incl. 4-cyl. TDI engine)
- Front wheel drive
- Independent strut front suspension
- Multi-link independent rear suspension
- Anti-lock braking system (ABS)
- Anti-Slip Regulation (ASR)
- Electronic Stabilization Program (ESP®)
- 205/55R16 all season tires w/ 18" alloy wheels
- Electro-mechanical power steering
- Electronic Differential Lock (EDL)

SAFETY/DURABILITY

- Driver and front passenger front airbag supplemental restraint system
- Driver and front passenger side airbag supplemental restraint system
- Side Curtain Protection™ head airbags front and rear
- 3-point safety belts, all seating positions
- Head restraints for all seating positions
- Lower Anchors and Tethers for CHILDS(LATCH)
- Child safety rear door locks
- Daytime running lights
- Height adjustable front safety belts
- Side protection door beams
- Front and rear power windows disc brakes
- Tire Pressure Monitoring System(TPMS)

COMFORT/CONVENIENCE

- CLIMATIC™ single-zone air conditioning, CFC-free
- V-Tax Leatherette Comfort Seats
- 8-way partial power driver seat w/ manual adjustment
- 82/45 split-folding rear seat
- Rear seat smokes w/ pass-through
- Power, heatable outside mirrors
- Adjustable 10-speak front wiper/washer system
- Cruise control
- Height adjustable, telescoping steering column
- In-dash, 6-disc CD changer w/MP3 format capability and aux. input
- Sirius® Satellite Radio w/6 month complimentary subscription
- Remotely keyless locking system
- Power windows w/ auto lockout
- Anti-theft alarm w/ immobilizer theft deterrent system
- Multi-function remote for 8 compass
- Front and rear carpeted floor mats

Manufacturer's Suggested Retail Price: **\$23,690.00**

DRIVER CARE PACKAGE

WARRANTY INFORMATION

- Volkswagen New Vehicle Limited Warranty
- *3 years/36,000 miles (whichever occurs first)
- Powertrain Limited Warranty
- **5 years/60,000 miles (whichever occurs first)
- Limited Warranty against Corrosion Perforation
- **12 years/unlimited mileage
- Please ask your dealer for a copy of the Volkswagen warranty booklet for details.
- 24-HOUR ROADSIDE ASSISTANCE
- **3 years/36,000 miles (whichever occurs first)
- (7 towing coverage for warranty-related failures and battery jump start)
- Provided by a third party supplier

VOLKSWAGEN CAREFREE MAINTENANCE

- Scheduled maintenance activities described in the Volkswagen Maintenance Booklets are covered at no charge for 3 years / 36,000 miles (whichever occurs first)

PACKAGES/OPTIONS

- Blue Graphite Metallic Exterior \$450.00
- Art Gray Interior \$1,300.00
- Power panoramic sunroof \$1,100.00
- 8-speed shiftronic automatic transmission w/ Tiptronic® \$190.00
- Protein mats (set of 4) and trunk liner (set of 2) (includes tie-downs) \$190.00

Destination Charge **\$650.00**

Total Price: \$27,038.00

Fuel, license, title fees, taxes and dealer-installed accessories are not included.

EPA Fuel Economy Estimates

These estimates reflect new EPA methods beginning with 2008 models.

CITY MPG

29

Expected range for most drivers
24 to 34 MPG

HIGHWAY MPG

40

Expected range for most drivers
33 to 47 MPG

Estimated Annual Fuel Cost
\$1,273

based on 15,000 miles at \$2.80 per gallon

Combined Fuel Economy

This Vehicle

33

15 **34**
At Small Station Wagons

Your actual mileage will vary depending on how you drive and maintain your vehicle

See the FREE Fuel Economy Guide at dealers or www.fueleconomy.gov

Volkswagen of America, Inc.

GOVERNMENT SAFETY RATINGS

Frontal Crash	Driver	★★★★
	Passenger	★★★★

Star ratings based on the risk of injury in a frontal impact. Frontal ratings should ONLY be compared to other vehicles of similar size and weight.

Side Crash	Front Seat	★★★★★
	Rear Seat	★★★★★

Star ratings based on the risk of injury in a side impact.

Rollover	★★★★
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Star ratings based on the risk of rollover in a single vehicle crash.

Star ratings range from 1 to 5 stars (★★★★★) with 5 being the highest.

Source: National Highway Traffic Safety Administration (NHTSA)

www.safercar.gov or 1-888-327-4236

Who better to get you into a Volkswagen than us? Volkswagen Credit

PARTS CONTENT INFORMATION

FOR VEHICLES IN THIS CARLINE:	FOR THIS VEHICLE:
U.S./CANADIAN	FINAL ASSEMBLY POINT:
PARTS CONTENT: 9%	PUEBLA, MEXICO
MAJOR SOURCES OF FOREIGN	COUNTRY OF ORIGIN:
PARTS CONTENT:	ENGINE: GERMANY
GERMANY: 35%	TRANSMISSION:
MEXICO: 30%	GERMANY

NOTE: PARTS CONTENT DOES NOT INCLUDE FINAL ASSEMBLY DISTRIBUTION OR OTHER NON-PARTS COSTS.

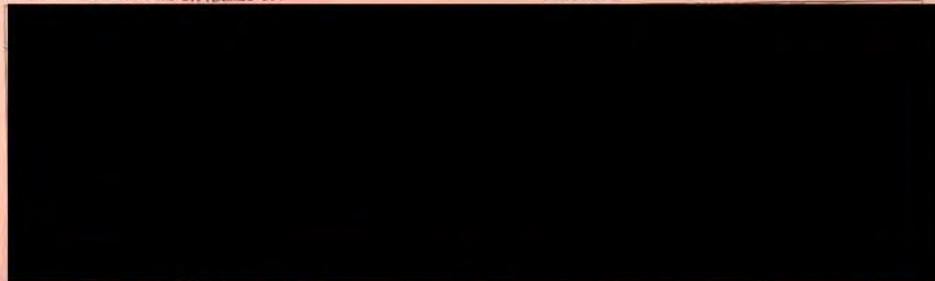


COOK VOLKSWAGEN, LLC.

2110 Belair Rd.
 Fallston, MD 21047
 (410) 877-1500

PLEASE TITLE IN NAME OR NAMES OF:

STOCK NO.



NEW VEHICLE WARRANTY: As Per Manufacturer (See opposite side for detail & specifics)	BASE PRICE		
USED VEHICLE WARRANTY: 30 days or 1,000 miles on Engine, Trans., & Rear (See opposite side for detail)	FREIGHT CHARGES		
DEMO & DRIVER EDUCATION WARRANTY: Vehicle In-Service Date: _____ Adjusts performed only 10 days after Delivery.		27899	91
	DPC	449	00
DEALER DEMONSTRATOR CARS DRIVER EDUCATION DEMONSTRATOR CARS MANUFACTURER'S DEMONSTRATOR CARS A demonstrator is the most outstanding value that we sell in the dealership; every consideration in pricing and/or trade allowance has been given to reduce the settlement price to its lowest. However, every demonstrator sold may have paint touch-up, moldings dented, an upholstery tear, wheel covers chipped, or other conditions considered visible at the time of sale. It is the policy of this dealership that no adjustments be made after the sale and after delivery, unless specifically stated on our sales contract. A squeak or touch-up or mechanical adjustment will be made free of charge only within 10 working days of delivery date.		28348	91
	Temp Tag	20.	00
INSURANCE CERTIFICATION: I hereby certify on this <u>26</u> day of <u>August</u> <u>2008</u> that I have the mandatory insurance coverage as prescribed by the State Motor Vehicle Administration and required by Maryland State law. <i>[Signature]</i> I have verified the above to be true through telephone contact with: <u>Robert Cleary Group</u> Insurance Company: <u>Satchel Insurance</u> Order Number: _____	TOTAL	28,368	91
	OWNER liability of 1000 - UPON Receipt of Rego. -1000 - ON CURT-OWNED PRSST		

WELLESLEY VOLKSWAGEN
231 Linden Street
WELLESLEY, MA 02482
Parts Direct Line (781) 237-5800
Main Number (781) 237-3553
Fax (781) 237-6024

ST. #	TAX EXEMPT #	CUST. P.O. NO.	SHIP VIA	PAY	SOLD BY	INVOICE DATE	INVOICE #
29224				CASH	MATTHEW SOUSA	07/26/12	PQ161401 VWR

BILL TO: [REDACTED] SHIP TO: RO 215607

SHIP QTY	B.O. QTY	PART NUMBER / DESCRIPTION	BIN	LIST	NET	AMOUNT	
1	0	1K0-254-706-LX EXH. PIPE	148F	1356.00	1356.00	1356.00	G.M. PARTS
							(978) 263-1000
-1	0	VW1K0-254-706-LX CORE RETURN	CORE PRICE		200.00	200.00	
1	0	1K0-253-725 CLIP	144C1	68.40	68.40	68.40	
1	0	1K0-253-115-T GASKET	148F	10.50	10.50	10.50	SUBARU PARTS
5	0	N-015-083-15 NUT	201C1	1.50	1.50	7.50	(781) 641-1900
2	0	1K0-253-115-AE GASKET	203B1	11.55	11.55	23.10	
2	0	1K0-253-725-B CLIP	203K3	68.50	68.50	137.00	
1	0	1K0-254-401-T CATALYST	SPORD	2400.00	2400.00	2400.00	CHRYSLER/JEEP
1	0	1K0-254-401-R CATALYST	148F	807.69	807.69	807.69	PARTS
1	0	1K0-131-649 BRACKET	SPORD	6.30	6.30	6.30	(617) 484-7500
1	0	1K0-253-120 TUBE	139J	320.92	320.92	320.92	
2	0	03G-131-547-H GASKET	204B1	6.75	6.75	13.50	
2	0	069-131-547-D GASKET	205A7	11.55	11.55	23.10	
1	0	038-131-547-A GASKET	205B5	14.70	14.70	14.70	
4	0	053916 205/55/16BRIDGE	RW	173.00	173.00	692.00	
						SUBTOTAL	

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS INVOICE
NO RETURNS ON ELECTRICAL OR SPECIAL ORDER PARTS. NO RETURNS AFTER 30 DAYS. 10% RESTOCK CHARGE ON ALL RETURNED PARTS NO CASH REFUNDS.

X PAY THIS AMOUNT ** PRICE QUOTE **

WELLESLEY VOLKSWAGEN
231 Linden Street
WELLESLEY, MA 02482
Parts Direct Line (781) 237-5800
Main Number (781) 237-3553
Fax (781) 237-6024

ST. #	TAX EXEMPT #	CUST. P.O. NO.	SHIP VIA	PAY	SOLD BY	INVOICE DATE	INVOICE #
29224				CASH	MATTHEW SOUSA	07/26/12	PQ161401 VWR

BILL TO: [REDACTED] SHIP TO: RO 215502

SHIP QTY	B.O. QTY	PART NUMBER / DESCRIPTION	BIN	LIST	NET	AMOUNT	
1	0	03G-128-063-F FLAP	SPORD	359.34	359.34	359.34	G.M. PARTS
1	0	381-837-015-AT LATCH	173E	183.60	183.60	183.60	(978) 263-1000
1	0	384-839-016-AP LATCH	168D	234.00	234.00	234.00	
1	0	1K0-253-691-E EXH. FLAP	106B	390.00	390.00	390.00	
4	0	N-023-002-15 NUT	201C3	2.20	2.20	8.80	SUBARU PARTS
1	0	1K0-253-725-E CLIP	203A4	20.25	20.25	20.25	(781) 641-1900
						SUBTOTAL	7076.70
						RESTOCK CHARGE	0.00
						TAX	442.25
						FREIGHT	0.00
						PAY THIS AMOUNT	7518.99

ALL CLAIMS AND RETURNED GOODS MUST BE ACCOMPANIED BY THIS INVOICE
NO RETURNS ON ELECTRICAL OR SPECIAL ORDER PARTS. NO RETURNS AFTER 30 DAYS. 10% RESTOCK CHARGE ON ALL RETURNED PARTS NO CASH REFUNDS.

X PAY THIS AMOUNT ** PRICE QUOTE **
10.26.15 PAGE 2 OF 2
NET514

PARTS INVOICE

11/11/2014

KRAFTWERKE

10 Rex Dr.
Braintree, Ma 02184
17818495888
Kraftwerkeld@yahoo.com

Invoice #3819

2009 VOLKSWAGEN JETTA FWD
2.0L SOHC TURBO DIESEL

<u>Labor</u>	<u>Amount</u>
CHECK ENGINE LIGHT IS ON	\$0.00
DIAGNOSE EMISSIONS WITH ANALYZER	\$190.00
R & R INTAKE MANIFOLD PLENUM	\$285.00
SET MANIFOLD AND FLAP ADAPTATION	\$0.00
R & R LOW PRESSURE EGR VALVE/COOLER	\$760.00
R & R SEAL CHARGE AIR COOLER INLET	\$57.00
RESET ALL ADAPTATIONS	\$0.00
R & R EGR VALVE PRESSURE FLAP	\$95.00
SET ADAPTATIONS	\$0.00
	\$1,387.00

<u>Part No.</u>	<u>Parts</u>	<u>Quantity</u>	<u>Each</u>	
03L 129 711 E	MANIFOLD FLAP ASSEMBLY CBEA/CJAA	1.00	\$417.90	\$417.90
03L 131 512 AF	LOW PRESSURE EGR ASSY. CBEA	1.00	\$608.00	\$608.00
03G 131 547 H	GASKET EGR FILTER CJAA	2.00	\$3.60	\$7.20
069 131 547 D	EGR FLANGE GASKET PAPER	1.00	\$6.00	\$6.00
3CD 145 117 H	O RING CHARGE AIR PIPE CBEA	1.00	\$9.88	\$9.88
1K0 253 691 E	FLAP EGR PRESSURE 2.0CR ALL	1.00	\$389.90	\$299.00
				\$1,347.98

<u>Service charges</u>	
HAZARDOUS WASTE FEE	\$7.00
SHOP SUPPLIES	\$6.94
	\$13.94

Subtotal	\$2,748.92
Tax	\$85.12
Total	\$2,834.04

Notes to be added.

All parts and labor warrantied for 12 months or 12000 miles except where indicated

.....Thank You For Your Continued Business.....

Handwritten signature and initials

An express mechanics lien is acknowledged on the above vehicle to secure the amount of repairs thereto, until such time as cash payment has been made in full. It is understood that you will not be held responsible for loss or damage to cars or articles left in cars in case of fire, theft or any other cause beyond your control. Upon signing this repair order it is accepted as a complete and comprehensive description of the repair work done on this vehicle. In any case, a 28% charge will be added to any vehicle invoice not paid for and/or

From: Chris W
To: ENRD, PUBCOMMENT-EES (ENRD)
CC: Chris W
Sent: 8/4/2016 10:40:45 AM
Subject: Fw: Comment - VW TDI Proposed Settlement
Attachments: TDI Court Letter.pdf

The attached pdf copies the text below and provides images of supporting documents.

August 2, 2016

Department of Justice
RE: Proposed Diesel Fraud Settlement

Dear Court and legal team,

As the owner of a 2009 VW TDI Sportwagen, I have enclosed evidence from August 28, 2008 supporting the amount I was defrauded of, directly by one of VWofA's franchised dealers. My cost of \$28,348.91 exceeds a proposed buyback amount, of \$8,000 plus a claimed \$5,100 compensatory amount.

My objection is based upon inadequate compensation, on the basis of inequities the proposed settlement method creates. It is not made in criticism of the size of VW's payout to the entire Class. Specifically, the proposed settlement:

- Neglects amounts paid.
- Neglects sales taxes.
- Arbitrarily subsidizes depreciation.

Neglects amounts paid

The enclosed will show I paid \$1,310 in excess of full MSRP, for the vehicle. This is before sales taxes, or travel costs to, and from, MD. With no consideration of these amounts, and only the \$28,348 purchase contract price, the settlement proposes a \$15,248 reduction in the value of my car. As you must know by now, thousands of others will be getting more than they paid. By not considering amounts paid, particularly for used vehicles in the 2011-2014 model years, this buyback grossly miss-aligns its compensation. Purchase prices are a missing ingredient which may expedite the proceedings, but at the apparent expense of the Court and legal team's obligation to establish a fair payout within the Class.

Neglects sales taxes

Sales taxes were part of my transaction, and will be a liability faced when my car is returned for another. My understanding is this buyback is outright, and not a trade. Whether compensated for the loss of sales tax credit (in states where this applies), or compensated for relevant taxes and fees paid at the front of the fraudulent transaction, there should be restitution for these amounts before any "generous compensation", above being made whole, can be defined.

Arbitrarily subsidizes depreciation

VW conducted as much fraud selling a 2009, as they did with a 2015 TDI. While age may be a reasonable consideration in the buyback formula, freezing buyback prices to 2018 hands owners of later model year vehicles compensation which earlier model year owners are consequently being denied. Earlier model years within the class were near fully depreciated when buyback values were frozen, on 9/18/2015. From the perspective of the defrauded, there is no apparent justification for paying some owners above their purchase prices, and then further extending this benefit to 2018. While these owners gain on their sale and lose nothing with respect to age, many older model owners are losing \$15,000 on vehicles which cannot be expected to last until this time.

While it may be in Volkswagen's, the Court's and the legal team's interest to rapidly handle this case, I hope you will reconsider all its defrauded. There are other reasons owners, such as me, incurred costs not addressed by the proposal. Numerous older, not newer, vehicle owners have paid for exhaust repairs on Volkswagen's fraudulent system, including the subject Lean NOx Trap (LNT). This settlement's total generosity is outweighed by the inefficiency of its distribution.

Thank you,
Chris Woodward
2009 TDI owner

Chris Woodward, CFA



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From: Pamela Frasier
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/11/2016 10:51:54 AM
Subject: Vw tdi settlement

I believe the vw settlement is fundamentally flawed in respect to the loss sustained by owners of record on September 15th who needed to sell their vw tdi. I personally experienced a quite substantial loss when trading in my 2012 Jetta tdi sportwagen at a vw dealer in Bozeman , Montana. Instead of the pre September 15th value of 15,000 to 17,000, I received 9,000 in trade.

All subsequent owners knew what they were buying and experienced no losses from vw's deception.

Why is my personal loss being shared out among subsequent owners?

This is not justice.

Effectively my class of owner is being singled out for punishment.

Why?

Every other class of owner as of September 15th is being fairly treated.

I am not being fairly treated: my personal and quite substantial loss brought on by no fault of my own is being shared out to parties who experienced no loss.

If the purpose of this settlement is to fairly recompense the injured parties, then it must be stated that it fails in this purpose. respectfully,

John Worth
owner of record September 15th

Sent from my iPone

From: James Wotherspoon
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/3/2016 11:44:23 PM
Subject: VW. Jetta 2013

We own the a bove car which is one of the problem cars..... it is well looked after and low kms. We live in West Australia and the Customer service call centre set up to deal with enquiries told us that the legislation in Australia is different and that they will 'fix' the problem and it won't take long, that was 6 months ago. We have been watching the progress of this 'buy' back situation in America but seemingly this does not apply to Australia ? same cars? Different governments? But as yet we have not heard anything from anyone.... Also in the interim we had wanted to sell our Jetta, but do you think others don't know about it . Yes ofcourse they do...no-one wants to buy a car that has a 'problem' even though it runs with no problems. We paid \$35,000 for this car . We can't sell it(at least not to anyone that sees any value) and we have not had any information here in West Australia about what is happening... A health company here in Australia changed its policies without telling its customers and had a hefty fine for such an immoral injustice., yet something as big as this is played about with in time and yet a huge fraud has taken place.... Mrs. Wotherspoon

From: Eric Yager
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/6/2016 11:42:25 PM
Subject: VW Diesel

To whom it may concern,

I am an owner of a 2010 Jetta TDI, and have reviewed the proposed settlement. It baffles me as to why VW gets to adjust the value of a vehicle based on its current condition. The initial transaction was based on fraud, so I argue the settlement should be based on the initial purchase price of the vehicle. While I may have used the vehicle more or less than others, why is my vehicle worth more or less. The entire purchase was based on fraudulent information. I believe the settlement should be based on the original purchase price of the vehicle and use should not factor in. Possibly age, but not use. Arguably the person who used the vehicle more, did more unwitting damage to their family and neighbors because of that use.

Also, I believe this should be handled as a trade in if I have Volkswagen repurchase the vehicle. Why should I have to pay sales tax on the total purchase of a vehicle which I am only buying because the company committed fraud when they sold the initial vehicle to me.

Thank you for your time and attention,

Eric Yager

From: Walter Yost
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 9:57:05 PM
Subject: VW Class Settlement Program

As the owner of of a VW diesel Jetta, I'd like to comment on the proposed VW settlement in U.S. District Court.

While I appreciate the enormous amount of work in putting this agreement together, I believe the settlement can be improved significantly to benefit VW diesel owners and the environment.

First, I would like to see owners made "whole" by receiving buyouts at the full purchase price, not the "clean value" determined by NADA. This is a position also taken by Consumer Reports, U.S. PIRG, the Sierra Club and others.

I believe this would result in many more VW owners like myself selling back their vehicles as soon as possible. As an example, I spent over \$28,000 to purchase my 2010 Jetta TDI. Under the current settlement I would receive about \$16,000 for my car - barely enough to buy the cheapest subcompact on the market. What's my incentive to sell back my car now - as opposed to waiting as long as possible?

Based on comments I've seen on VW TDI blogs, many, perhaps a majority, of VW owners will do the same as I: wait until Sept. 2018 to sell back our vehicles. It would be the smart thing to do.

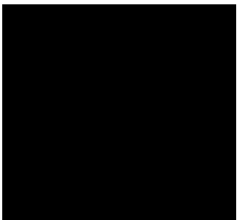
If my assumption is correct, that means hundreds of thousands of VW diesels will still be on the road emitting illegal and unhealthy Nox pollution for at least another two years. I thought a goal of the settlement is to protect the environment.

A stronger incentive is needed to convince owners to sell back their cars IMMEDIATELY and get these gross polluters off the roadways PROMPTLY.

Compensating defrauded VW diesel owners with full buybacks is the best way to accomplish that.

I hope the court will take this into consideration.

-Walter Yost



From: Stephanie Ziegler
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/23/2016 11:47:52 AM
Subject: VW Diesel Settlement

To Whom It May Concern,

As an affected owner of a Volkswagen TDI, I do not understand why Volkswagen is allowed to value cars at trade in value to calculate the buyback they will offer to owners. We owners are not trading these cars in, and in effect are losing thousands of dollars in value because Volkswagen is being allowed to value cars at trade-in. I feel as though Volkswagen is being left off the hook for deceiving and defrauding customers and the U.S. government. I believe Volkswagen should be required to offer their buyback values based on fair retail value, instead of being allowed to lowball owners and in turn cause even more damage to the defrauded owners. Please take these concerns into consideration.

Thank you,
Stephanie Ziegler

From: Ray Ashcraft
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 5:30:00 PM
Subject: My Jetta TDI

Hello,

I have a 2012 Jetta, serial # [REDACTED]. I am wondering why it is not included in the buy back program, especially after reading that it included 2009-2015 autos. Thanks for your time,

Ray (alias-Grandpa, Dad)

From: Bodkin, Patrick
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/22/2016 3:02:15 PM
Subject: RE: VW Diesel Settlement Public Comment

I did not receive a response from my 7/11/2016 email (below).

Can you please provide me with feedback on my statements?

Thank you

Patrick Bodkin
[REDACTED]

From: Bodkin, Patrick
Sent: Monday, July 11, 2016 3:35 PM
To: pubcomment-ees.enrd@usdoj.gov
Subject: VW Diesel Settlement Public Comment
Importance: High

To whom this may concern:

As a person who purchased and owned two (2) consecutive 2010 VW TDI vehicles, it is my opinion that the proposed settlement does not provide adequate compensation for the fraud that was committed against me. My personal situation is as follows:

1. I purchased my 1st 2010 off a New Jersey VW Dealers Lot in September 2009 (Vin [REDACTED]). The purchase price for this new vehicle was approximately \$30,000 at the time. Financing was provided by the Volkswagen Financial Subsidiary.
2. I drove the above vehicle for 15 months and traded it in on another new 2010 VW Jetta TDI off a dealers lot in Baton Rouge (LA) when the 1st vehicle had approximately 40,000 miles on it. The new 2010 Jetta TDI also had a sticker price of approximately \$30,000 (Vin [REDACTED]). This is the vehicle that I presently own. This second transaction was also financed by Volkswagen's Financial Subsidiary. This car load note was paid off in the Spring of 2015.

It is my opinion that additional compensate should be awarded to me based on the following facts"

- I was deceived by VW's fraudulent marketing tactics for "Clean Diesels" not just once, but twice with two purchases in the 2009 – 2010 period. The proposed settlement does not reflect this double deception.
- I paid significant interest charges to VW's Financial Subsidiary from 2009 – 2015 to finance these fraudulent transactions. Volkswagen's financial subsidiary directly profited from the fraud that was perpetrated against me in each case. Based on this fact I believe that all interest that I paid to VW to finance these transaction should be reimbursed to me with an additional amount as a penalty to VW Finance.

Thank you for the opportunity to share this information with you.

Please contact me if you have any questions.

Patrick M. Bodkin



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From: T&K Corrigan
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 8:24:03 PM
Subject: Comment and questions for U.S. v. Volkswagen Group of America, et al.

I have several questions and a comment with regards to Case 3:15-md-02672-CRB

Comment:

The proposed FTC compensation tables for mileage are based on 12,500 miles/year. This mileage is woefully insufficient. No one I know bought these cars to drive a paltry 12,500 miles/ year. The TDI model was almost \$3,000 more than a 2.5l gas SE model in 2009; you would never be able to justify the extra cost of the TDI with 12,500 miles/year with differential cost of the diesel. My commute is longer than 12,500 miles/year. My annual drive is 20,000 miles year over year from day one and I can substantiate that amount on demand. VW diesel engines have a market reputation for running 300,000, to 500,000 miles reliably. The annual mileage estimate should have been >15,000/year.

Questions:

Appendix B; section 3.9, Warranty.

- It is my understanding that in early generation 1 engines, the DOC, DPF, and LNT are installed on the vehicle as a single unit, how is it possible to consider installing a new LNT without installing a new DOC and DPF? (Appendix B , section 3.2.1)
- In the event a modification is approved, in this section of Appendix B, 3.9.2, DPFs might not be eligible for extended warranty if "... reached maximum ash load and needs to be replaced as part of normal maintenance..." how will this ash load be determined, who will establish the terminal ash load figure and will that figure be published prior to or at the same time as any modification plan?
- The extended warranty, appendix B, 3.9.4.i, For Generation 1 and 2, 10 years or 120,000 actual miles whichever comes first, is this from the date of modification or date of original delivery of the vehicle?

Appendix D, section 4.2.9, Registration of 2.0 Liter Subject Vehicles.

- Does this section indicate that future vehicle registrations **cannot** be denied, in perpetuity, in all 50 states, even if I elect to do nothing with the vehicle, i.e. no buy back or modification (if applicable)?
- Will parts be available (DOC, DPF, LNT, EGR components, Exhaust Flap, sensors, etc.) for the life of a non-modified vehicle that will match its original configuration? Even if a modification is approved in the future?
- Will subsequent private sales of un-modified vehicles be allowed and vehicle registrations to a new owner granted in perpetuity?

Regards,

Thomas Corrigan


From: Adam Csank
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/7/2016 3:49:53 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386.

To the Assistant Attorney General, Environment and Natural Resources Division,

I would like to comment on the proposed settlement re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2- 1-11386.

I am the owner of a 2012 Volkswagen Golf Diesel. My car, however, was originally purchased in Canada in September of 2012. When I relocated to Nevada for work in February 2015 I brought my car with me and legally imported it before registering my car in the US. At the time I imported my car I was required to demonstrate that my car was EPA compliant, which at the time it was. We now know that that wasn't true. Canada follows the same emissions standards as the US and a case is currently pending there regarding what to do with non-compliant VW diesels.

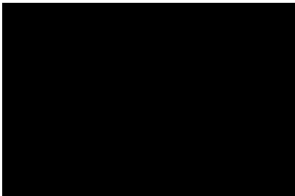
My concern is that nowhere in the proposed settlement does Volkswagen describe what is to be done with imported Volkswagen Diesels. I contacted VW directly and was told I would have to wait and see what is decided in Canada. I would like to know will I be required to export my car, at considerable personal expense? This seems wrong given that I did everything properly regarding importing my car and it is through no fault of my own that my car is not compliant. To add to the complication I have since moved to California, where my car is currently registered. Should the state of California decide that my car is not longer eligible to be driven on the road before a settlement has been reached in Canada, I am concerned I will not be allowed to legally drive my car.

I would like to request that the DOJ request that Volkswagen specifically address what is to be done with Volkswagen Diesels imported from Canada.

At the very least Volkswagen should cover the expenses related to exporting my car back to Canada, the expenses incurred in initially importing my car to the US and any loss in resale value in Canada.

Thank you,

Adam Csank



From: Jerry Grainger
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/6/2016 3:19:28 PM
Subject: Volkswagen Diesel Settlement

Will there be any provision for a tax offset or allowance?

If I was to trade my vehicle in on a new vehicle I would pay taxes on the price difference of the two vehicles.

Will I have to pay taxes on the full purchase price of a new vehicle with the settlement money

This needs to be addressed.

Thank you

Jerry Grainger
Owner of a 2015 Jetta TDI SEL

From: Larry Johnson
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/20/2016 3:36:10 PM
Subject: VW "Clean Diesel" Recall/buy back

To whom it may concern:

We purchased our 2014 VW TDI Jetta Sportwagen with the idea that we would own this car for a very long time, based on the vehicle's advertised fuel mileage and performance and the reputation of diesel engine longevity.

Apparently initial modifications to meet emission standards in Europe have resulted in significantly reduced fuel economy, so we are considering the proposed buy back offer. We purchased our vehicle through Volkswagen financing. Will we be compensated for the interest that we have paid? We also purchased an extended warranty for our vehicle. Will we be refunded the cost of this extra expense if we have Volkswagen buy back our vehicle?

Thank you very much for taking the time to read and consider my questions.

Sincerely,

Larry Johnson
[REDACTED]

From: Luce, Michael
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/18/2016 10:57:04 PM
Subject: Comment on tdi settlement

Will there be consideration on the buyback of dealer installed options? Such as spoilers, window tinting, window deflectors, mud guards, etc in the price they are offering? Thanks

Michael Luce
Sr Facilities Coordinator



Sent from my iPad

From: [REDACTED]
To: ENRD, PUBCOMMENT-EES (ENRD)
Sent: 7/14/2016 4:51:24 PM
Subject: VW Settlement

I strongly support the proposed settlement and the corrective actions VW must take.

I am confused with definition of "Eligible Vehicle"

I purchased a Used(not CPO) 2015 Golf TDI on June 25, 2016 from a VW Dealer. I have a bill of sale and temporary registration tag also dated June 25. I received the Title today and will be registering it with DMV tomorrow.

It's not clear to me based on the definition if this vehicle is "eligible".

It would seem it should not matter whether the vehicle was sold by a VW dealer or a Ford dealer. I was aware VW was prohibited from selling new or CPO vehicles, which this is not.

For vehicles such as mine it would seem the goal should be either get them off the road or "fixed". Removing the monetary incentive for either might have some decide to continue to drive their vehicles with excessive NO2. In addition if VW was prohibited from selling me this car, they are in effect being rewarded by not having financial responsibility to buyback or fix. I hope the definition of "eligible vehicle" can be rewritten to consider the above comments

Thank You
Bill Parsons


[REDACTED]

From: Penny Polston
To: Van Eaton, Josh (ENRD); Engel, Bethany (ENRD)
Sent: 7/6/2016 11:38:07 AM
Subject: VW Court Settlement Question on extended warranty purchased with my car
Attachments: Polston VW Service Contract.pdf

I have been following all the information provided on the website for the VW Court Settlement, as a consumer that will be affected with this turn out, I have not seen anything that relates to my issue that I will have when this buyout is determined. So I hope that you will be able to provide me with some guidance.

When I purchased my 2012 VW TDI Passat SEL I also purchased a Purchase Price Refund Mechanical Failure Service Contract from the dealership to cover my car for 6 years or 100,000 miles on May 19, 2012. With this type of contract warranty if I did not have any claims for any mechanical failure during the term of the contract I would receive my full purchase price back from the warranty company Fidelity Warranty Services which totaled \$3,104.38. So my question, if my car is bought back from VW and this warranty term is not up yet and I have no claims, will I be going after VW to get this amount refunded back to me or will I be dealing with Fidelity? I think this should be considered in this lawsuit as well, I am sure I am not the only consumer with this situation. I have attached the contract that I have, I did call and speak to a representative at Fidelity this morning and of course they have no idea, but they did see that I still have a valid contract with them and no claims with my VW.

Please advise,
Penny Polston



Current mileage is 60,000

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 10:13:47 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Antonio Acker

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 8:23:44 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

kenneth adair

████████████████████
State of Residence: ██████████
Company Name:
Truck Engine Model Year: 2003
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 8:04:26 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

louis aaadelman

State of Residence: [REDACTED]
Company Name: dart
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 4:18:43 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
U.S. Department of Justice

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
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Thank you.

Sincerely,

Sergio Aguilar

State of Residence: 
Company Name:
Truck Engine Model Year:
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
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Thank you.

Sincerely,

Emilio Alvarez

Print Name

Em.

Sign Name

7-25-16

Date

[Redacted]

State of Residence (optional)

Detroit 1998

Truck Engine Model Year (optional)

INTERNATIONAL

Company Name (optional)

[Redacted]

Email (optional)

Comments (optional):

[Empty box for comments]

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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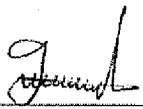
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Thank you.

Sincerely,

Garad F. ALI
Print Name


Sign Name

07/23/16
Date


State of Residence (optional)

Cummins
Truck Engine Model/Year (optional)

ENG Transportation
Company Name (optional)


Email (optional)

Comments (optional):

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

DWIGHT STEPHENS
Print Name

Dwight Stephens
Sign Name

7/25/16
Date

[Redacted]
State of Residence (optional)

Cummins ISX-2009
Truck Engine Model Year (optional)

T.M. Express
Company Name (optional)

[Redacted]
Email (optional)

Comments (optional): Idle Air is a fantastic to the options
above, idling is costly & uncomfortable with a
vibrating engine. I'm a new customer who wish I had
joined 5 yrs ago, I've been driving 10+ years.

From: [REDACTED]
To: [REDACTED] ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/5/2016 5:37:38 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Our organization writes to request that the final settlement between the U.S. government and Volkswagen provide maximum flexibility for States and Native American tribes to consider allocating some of their funds to electrified parking spaces (EPS) and truck stop electrification (TSE). Specifically, we ask that the settlement expressly list truck stop electrification as an eligible mitigation activity within Appendix D-2, along with the nine other activities that already include various forms of diesel retrofits and the marine equivalent of truck stop electrification. While TSE is eligible for funding under the DERA program option, we are concerned that some States and Tribes will decline or minimize use of the DERA option. Moreover, should Congress decide not to provide funding for the DERA program, there would be limited opportunity to invest in TSE. We know TSE is a cost-effective strategy to reduce NOx emissions and value this mitigation option.

Too often, drivers idle their engines during overnight stays in order to maintain a safe and comfortable cab interior environment. The practice takes place on a large scale and has a disproportionate impact on disadvantaged communities where truck stops and fleet terminals are often located. DERA's own guidelines flag the communities surrounding truck stops for programmatic priority. The Argonne National Laboratory (http://www.afdc.energy.gov/uploads/publication/hdv_idling_2015.pdf) estimates that rest-period idling wastes about 1 billion gallons of diesel and results in the emission of about 55,000 tons of nitrogen oxides released annually in the US. The EPA rates Truck Stop Electrification as the single most cost effective activity to mitigate mobile sources of NOx emissions (less than one third of the cost per ton achieved through diesel retrofits). See page 13 (<https://www3.epa.gov/otaq/stateresources/policy/general/420b07006.pdf>). Truck Stop Electrification, an EPA SmartWay verified technology, provides long-haul truck drivers an alternative to idling their diesel engines during their overnight stays. Significant NOX mitigation can be achieved through 1) installation of new TSE locations; and 2) TSE vouchers for truck drivers to encourage more truckers to use existing TSE facilities.

Again, we urge you to specifically list EPS/TSE infrastructure and TSE vouchers as eligible mitigation activities under Appendix D-2 of the settlement. This would afford beneficiaries maximum flexibility to achieve the settlement's goal of improving air quality in disadvantaged communities by reducing harmful diesel emissions.

Thank you for your consideration!

Sincerely,

Jeff Allen
Drive Oregon

[REDACTED]

This email was sent via the Google Forms Add-on.

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 5:22:44 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Gary Alty

[REDACTED]
State of Residence: [REDACTED]
Company Name: JDD enterprises
Truck Engine Model Year: 2014 maxforce
Additional Comments: Much needed across USA and Canada

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:09:14 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Sincerely,

Gary Alty

[REDACTED]
State of Residence: [REDACTED]
Company Name: JDD enterprises
Truck Engine Model Year: 2014 maxforce
Additional Comments: Much needed across USA and Canada

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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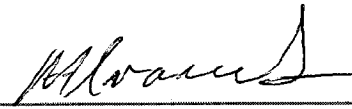
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Thank you.

Sincerely,

MAUNICIO A. ALVARADO
Print Name


Sign Name

08-04-16
Date


State of Residence (optional)

DETROIT FRL
Truck Engine Model Year (optional)

CONDOR EXPRESS
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 12:18:52 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Oscar Anariba

████████████████████

State of Residence: █████

Company Name: Blue5 star

Truck Engine Model Year: Dd

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 11:11:16 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Terry Anderson

State of Residence: [REDACTED]
Company Name: Budd Van Lines
Truck Engine Model Year: 2002
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Tungsten Anderson
Print Name


Sign Name

7/26/16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:32:11 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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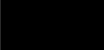
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Thank you.

Sincerely,

James D. Archer

State of Residence: 
Company Name:
Truck Engine Model Year: 2007
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 1:15:53 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Charles Argento

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2001
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 5:20:55 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
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Thank you.

Sincerely,

Jim Arnold

State of Residence: [REDACTED]

Company Name: Jim Arnold Trucking Inc.

Truck Engine Model Year: 2014 KW T660

Additional Comments: This program will be good for all who don't have an APU

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 8:26:44 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

john ashley

[REDACTED]
State of Residence: [REDACTED]
Company Name: dragon freight
Truck Engine Model Year: 2004
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 10:34:46 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Tony Avera

State of Residence: [REDACTED]
Company Name: T S C trucking
Truck Engine Model Year: 2003
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
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Thank you.

Sincerely,

Foto Baéz
Print Name

Foto Baéz
Sign Name

07-26-16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:58:46 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Sincerely,

C Bag

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 3:05:07 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
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
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Thank you.

Sincerely,

Charles Bailey

State of Residence: 
Company Name:
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:28:38 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

James Bailey

████████████████████
State of Residence: ██████████
Company Name:
Truck Engine Model Year: 2002
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:44:59 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

James Bailey

[REDACTED]
State of Residence: [REDACTED]
Company Name: JMT
Truck Engine Model Year: 2002
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Sincerely,

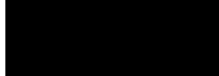
LORESON Baldwin



Print Name

Sign Name

7/23/14



Date

State of Residence (optional)

WERNER

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 4:06:35 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

John Balk

State of Residence:
Company Name: Balkster Inc.
Truck Engine Model Year: 2010 CDummins
Additional Comments: We use Idleair quite often.

From: IdleAir Trucking Company Customer
To: ENRD, PUBCOMMENT-EES (ENRD); Fleets
Sent: 8/1/2016 5:25:56 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, & Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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As a trucking company, we find our drivers often have to idle their truck engines overnight while complying with DOT Hours of Service requirements and maintaining a safe and comfortable environment while resting.

We consider expanding the availability of truck stop electrification, or providing vouchers to pay for the service, essential in addressing the needs of our drivers and in decreasing the need to idle our trucks.

Thank you.

Sincerely,

Chris Ballard
Operations Manager
Lawrence Transportation
Email: [REDACTED]
Number of Truck Drivers: 200
US DOT #:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

PARWEINDER S. BASRA
Print Name

[Signature]
Sign Name

07-27-16
Date

[Redacted]
State of Residence (optional)

CAT 2005
Truck Engine Model Year (optional)

SPARK CARRIER INC
Company Name (optional)

Email (optional)

Comments (optional):
[Empty box for comments]

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 7:56:47 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Rodney Bassig

State of Residence: 
Company Name:
Truck Engine Model Year: 2008
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 5:33:41 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Pete Batcke

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 7:25:39 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Pete Batcke

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 4:53:54 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

George Beasley

[REDACTED]
State of Residence: [REDACTED]
Company Name: Tribe Express
Truck Engine Model Year: 2015 paccar
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:42:14 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Luke Bell

State of Residence: 
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/23/2016 12:20:33 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Ray Bellinger

[REDACTED]
State of Residence: [REDACTED]

Company Name: Keypoint Carriers Ltd

Truck Engine Model Year: 2008

Additional Comments: I'm not a true tree huger but this a good thing and a definite step in the right direction

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

EUGENE L BERLINE
Print Name


Sign Name

7/26/16
Date


State of Residence (optional)

2014
Truck Engine Model Year (optional)

TLD LOGISTICS
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/30/2016 2:01:01 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Stan Bianowski

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year:

Additional Comments: Just because some of us live in Canada we should not get a voice to as we do come into the USA and times do need to park and wait for a load to return back to Canada as well as being compliant with hours of service yes we do use idle air if available to

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:43:10 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

James Bice

[REDACTED]
State of Residence: [REDACTED]
Company Name: Bay and Bay
Truck Engine Model Year: 2013
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:46:45 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Mary biggs

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 1:49:05 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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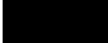
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Thank you.

Sincerely,

Gregory Bissig

State of Residence: 
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:07:26 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
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Thank you.

Sincerely,

Adelbert Bisson

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/7/2016 10:22:08 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

jim blackman

State of Residence: [REDACTED]
Company Name: swift
Truck Engine Model Year:
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
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Thank you.

Sincerely,

Kenneth J Blackmon
Print Name

Kenneth J Blackmon
Sign Name

7-30-16
Date


State of Residence (optional)

Cummins 04
Truck Engine Model Year (optional)

United Van
Company Name (optional)

Email (optional)

Comments (optional):

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Yosbel Blanco
Print Name

Yosbel Blanco
Sign Name

8/21/16
Date

[REDACTED]
State of Residence (optional)

FREIGHTLINER
Truck Engine Model Year (optional)

Frank Truck
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:12:03 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Teresa Bodenhamer

[REDACTED]
State of Residence: [REDACTED]
Company Name: Bodenhamer Express
Truck Engine Model Year: 2006 freightliner classic cat motor
Additional Comments:



4, rue du Transport, Coteau-du-Lac (Québec) J0P 1B0 CANADA • www.cat.ca
T. 450 763.6363 • 1 800 363.5313 • F. 450 763.2400

ISO 9001-000

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No:
MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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We consider expanding the availability of truck stop electrification, or providing vouchers to pay for the service, essential in addressing the needs of our drivers and in decreasing the need to idle our trucks.

Sincerely,

A handwritten signature in cursive script that reads "Line Boisvert".

Line Boisvert
Energy efficiency coordinator



Number of drivers in our fleet: 320

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 9:56:08 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

William Bolen

[REDACTED]
State of Residence: [REDACTED]
Company Name: B&L Transportation
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 10:23:09 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Dennis Bollenbach

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 12:42:51 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Walter Bond

[REDACTED]
State of Residence: [REDACTED]
Company Name: Bond's Double Ring
Truck Engine Model Year: 2005 detroit 60 ser
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 9:21:59 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Marianne Bonilla

State of Residence: [REDACTED]
Company Name: E.w.wylie
Truck Engine Model Year: Peterbelt 2017
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 9:24:16 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Douglas Bonnett

[REDACTED]

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year: 2003

Additional Comments: I support TSE

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 10:30:01 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Alex Borges

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 7:26:30 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Stephen Borneo

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/27/2016 6:36:47 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Randal Bouwens

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 1997
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Hernan Boves

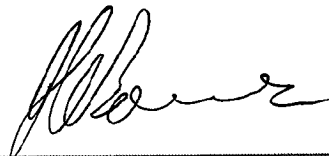
Print Name

7-25-16

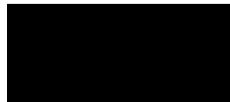
Date

DT-15

Truck Engine Model Year (optional)



Sign Name



State of Residence (optional)

BOVES EXPRESS

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/23/2016 11:20:27 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Pete Bowes

State of Residence: [REDACTED]

Company Name: Watkins Shepard

Truck Engine Model Year: 2014

Additional Comments: I use a CPAP and need to idle to maintain starting voltage. Electrification completely eliminate this.

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 10:13:03 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Daniel Bowkley

State of Residence: [REDACTED]

Company Name: National Carriers

Truck Engine Model Year: 2016

Additional Comments: Even with an APU, in summer it's just too darn hot for it to keep comfortable. TSE systems help tremendously with that.

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 12:27:01 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

waine brady

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: Cummings 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/5/2016 4:33:38 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
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Thank you.

Sincerely,

Kevin Branton

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 1:48:31 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Joseph Braun

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2016
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Travis Bean

Print Name

Travis

Sign Name

07/28/16

Date



State of Residence (optional)

Truck Engine Model Year (optional)

Western Express

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:01:33 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Rick Brehm

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
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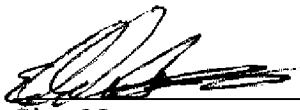
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Thank you.

Sincerely,

Eddie Trots
Print Name


Sign Name

7-27-16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 3:19:35 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Dale Brooks

State of Residence: [REDACTED]
Company Name: Transport Service Co.
Truck Engine Model Year: 2106
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 4:26:37 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Dizon Brooks

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 9:47:18 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Jay Browder

[REDACTED]
State of Residence: [REDACTED]
Company Name: PEI
Truck Engine Model Year: Cummings 2016
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 7:20:48 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Jay Browder

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year:
Additional Comments:

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Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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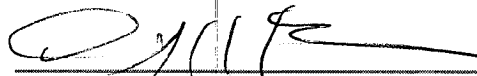
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Thank you.

Sincerely,

Daniel H. Brown
Print Name


Sign Name

9-4-16
Date

State of Residence (optional)

07 Freightliner Detroit
Truck Engine Model Year (optional)

Big Chief Transport
Company Name (optional)

Email (optional)

Comments (optional):
Need More Idle Air !

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/2/2016 11:06:43 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Erick Brown

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 5:38:25 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.


I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Jason Brown

State of Residence: 
Company Name:
Truck Engine Model Year: 2000
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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with DOT Hours of Service requirements while maintaining a safe and comfortable environment
for resting.

I would gladly use more truck stop electrification services if there were more available in the
places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

JESSIE L. BROWN
Print Name

Jessie L. Brown
Sign Name

July 26, 2016
Date

[Redacted]
State of Residence (optional)

2016
Truck Engine Model Year (optional)

Super Service LLC
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 8:22:23 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Michael Brown

[REDACTED]
State of Residence: [REDACTED]
Company Name: Swift
Truck Engine Model Year: 2014
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 7:55:29 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Nathan Brunswick

State of Residence: [REDACTED]
Company Name: Brunswick Trucking
Truck Engine Model Year: Cummins
Additional Comments: We need more Idleair stops.

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 6:36:30 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Bruce Bryant

[REDACTED]
State of Residence: [REDACTED]
Company Name: B&R Express
Truck Engine Model Year: 2013
Additional Comments:



July 25, 2016

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in
Appendix D-2 of the VW settlement.

As a trucking company, we find our drivers often have to idle their truck engines overnight
while complying with DOT Hours of Service requirements and maintaining a safe and
comfortable environment while resting.

We consider expanding the availability of truck stop electrification, or providing vouchers to pay
for the service, essential in addressing the needs of our drivers and in decreasing the need to
idle our trucks.

Sincerely,

M. Paul Brown
Chief Accounting Officer
Number of drivers in our fleet: 4,000



P.O. Box 22997 • Chattanooga, TN • 37422

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 4:01:00 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

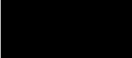

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Joseph Burgener

State of Residence: 
Company Name: 
Truck Engine Model Year: 2006
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 7:50:59 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Stephen Burke

[REDACTED]
State of Residence: [REDACTED]
Company Name: LOGIX
Truck Engine Model Year: 1999
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply
with DOT Hours of Service requirements while maintaining a safe and comfortable environment
for resting.

I would gladly use more truck stop electrification services if there were more available in the
places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Benjamin Burnett
Print Name

[Signature]
Sign Name

8/3/16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Appendix D-2 of the VW settlement.

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with DOT Hours of Service requirements while maintaining a safe and comfortable environment
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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Kelley Burnett
Print Name

Kelley Burnett
Sign Name

9.3.16
Date

)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:10:48 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Jay Burnham

State of Residence: ■
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 11:10:00 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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
I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Lee Buse

State of Residence: 
Company Name: Panther
Truck Engine Model Year: 2013
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 1:50:56 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Patrick Bush

[REDACTED]
State of Residence: [REDACTED]
Company Name: Chemsolv
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:15:17 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Alfredo caldera

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year:

Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Richard Callender
Print Name

Richard Callender
Sign Name

8/1/16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 11:15:33 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Mike Campbell

[REDACTED]
State of Residence: [REDACTED]
Company Name: B-made
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:23:53 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Larry Cardona

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 1999
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 4:54:36 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Denard Carlisle

State of Residence: 
Company Name: Denard Carlisle Trucking LLC
Truck Engine Model Year: 2014
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 7:57:52 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Carl Carlson

[REDACTED]
State of Residence: [REDACTED]
Company Name: Transport America
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:13:37 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

ALBERT CARPENTER

[REDACTED]
State of Residence: [REDACTED]
Company Name: INTERSTATE DIST CO
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:22:32 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

David Carr

State of Residence: [REDACTED]
Company Name: Daily Express
Truck Engine Model Year: 2006
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 11:04:39 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

John Carter

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 7:40:19 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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
I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Edgar CASTILLO

State of Residence: 
Company Name:
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:42:07 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Stephen Castro

State of Residence: [REDACTED]
Company Name: Just Bee
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 7:15:33 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Anthony Caughlin

[REDACTED]
State of Residence: [REDACTED]
Company Name: A. P. Caughlin Transport
Truck Engine Model Year: 2003
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 12:47:09 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Stephen Chambers

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/23/2016 7:46:42 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

James Chandler

State of Residence:
Company Name:
Truck Engine Model Year: 2012
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:50:06 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Colin Cheney

[REDACTED]
State of Residence: [REDACTED]
Company Name: QC
Truck Engine Model Year: 2012
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 7:03:54 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Levi Childers

[REDACTED]
State of Residence: [REDACTED]

Company Name: Csqt

Truck Engine Model Year: 2016 Volvo

Additional Comments: Please build more in mid western America and the South east

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Genet Cleobanor
Print Name

Genet Cleobanor
Sign Name

7-23-16
Date

[Redacted]
State of Residence (optional)

Freeliner 2012
Truck Engine Model Year (optional)

Louger
Company Name (optional)

[Redacted]
Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/20/2016 10:52:34 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

CHARLES CLENDANIEL

[REDACTED]
State of Residence: [REDACTED]
Company Name: CHARLES CLENDANIEL
Truck Engine Model Year: CAT 2005
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 5:10:47 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Billy clevenger Clevenger

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2012 cummins
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:01:52 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Michael Climo

[REDACTED]
State of Residence: [REDACTED]
Company Name: MLC Trucking
Truck Engine Model Year: 2010
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 7:21:19 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Brandy Clowdus

State of Residence: [REDACTED]

Company Name: Total transportation of Mississippi

Truck Engine Model Year:

Additional Comments:



Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No:
MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

As a trucking company, we find our drivers often have to idle their truck engines overnight while complying with DOT Hours of Service requirements and maintaining a safe and comfortable environment while resting.

We consider expanding the availability of truck stop electrification, or providing vouchers to pay for the service, essential in addressing the needs of our drivers and in decreasing the need to idle our trucks.

Sincerely,

A handwritten signature in black ink, appearing to read "Al Coci".

Al Coci
General Manager
Bolt Express Truckload

Number of drivers in our fleet: 96



**P.O. BOX 481
PROVIDENCE, R I 02901
PH: 401-398-1100 FAX: 401-398-1031
WATTS 800-879-6263**

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No:
MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Sincerely,
Michael J Collins
President

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 6:12:18 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

James Conrad
[REDACTED]

State of Residence: [REDACTED]
Company Name: Jim Conrad Trucking
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 9:54:39 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

David Contreras

[REDACTED]
State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year: Detroit 2004

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/3/2016 4:29:04 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
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Thank you.

Sincerely,

Descanon Cook

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year: 2015

Additional Comments: As a canadian who never experiences extreme heat--I sure do appreciate being able to keep cool while on the road down south!

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 6:47:15 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Ron Craig

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: Deisel 2016
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Mike Cruse
Print Name


Sign Name

8-4-16
Date


State of Residence (optional)

3406 CAT 2011 388 PETE
Truck Engine Model Year (optional)

QC
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 11:21:28 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Bennie Crowder

State of Residence: [REDACTED]
Company Name: Quality carriers
Truck Engine Model Year: 2016 Mack
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 4:08:33 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Brian Cullen

State of Residence: [REDACTED]
Company Name: TCAM
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:28:03 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
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
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Thank you.

Sincerely,

Frank Dahmen

State of Residence: 
Company Name:
Truck Engine Model Year: 2010
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
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Thank you.

Sincerely,

Stephon Daniels
Print Name

Stephon Daniels
Sign Name

8-3-16
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 3:31:05 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Jim Davenport

State of Residence: [REDACTED]
Company Name: fti
Truck Engine Model Year: volvo
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 10:12:57 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Helen Davis

State of Residence: [REDACTED]

Company Name: CTE

Truck Engine Model Year: 2012

Additional Comments: I love idelair. It saves me fuel and helps the environment when I shut the truck down for those 10 hours

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:39:24 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

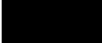
I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Jimmie Davis

State of Residence: 
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 1:02:10 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Richard Davis

[REDACTED]
State of Residence: [REDACTED]
Company Name: Eagle KMC
Truck Engine Model Year: 2013
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 6:16:25 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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
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Thank you.

Sincerely,

Ricardo De los reyes

State of Residence: 
Company Name: RST logistics . Corp
Truck Engine Model Year: Detroit 1999
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 10:30:50 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

Ricardo De los reyes

[REDACTED]
State of Residence [REDACTED]

Company Name: Rst logistics corp

Truck Engine Model Year: 1999

Additional Comments: More parking spaces are needed

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:05:20 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Debra Dealva

State of Residence: [REDACTED]

Company Name: Werner Enterprises

Truck Engine Model Year: 2017

Additional Comments: We need more idle air locations throughout the country

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/23/2016 3:48:57 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Bill DeGroff

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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for resting.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Anthony DeLeon
Print Name

Anthony DeLeon
Sign Name

07-21-2016
Date

[Redacted]
State of Residence (optional)

Detroit C60 2002
Truck Engine Model Year (optional)

Mojo Trucking
Company Name (optional)

[Redacted]
Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/31/2016 12:53:46 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Larry Dembow

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: [REDACTED]
To: [REDACTED] ENRD, PUBCOMMENT-EES (ENRD)
Sent: 8/4/2016 4:42:53 PM
Subject: In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice
In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Our organization writes to request that the final settlement between the U.S. government and Volkswagen provide maximum flexibility for States and Native American tribes to consider allocating some of their funds to electrified parking spaces (EPS) and truck stop electrification (TSE). Specifically, we ask that the settlement expressly list truck stop electrification as an eligible mitigation activity within Appendix D-2, along with the nine other activities that already include various forms of diesel retrofits and the marine equivalent of truck stop electrification. While TSE is eligible for funding under the DERA program option, we are concerned that some States and Tribes will decline or minimize use of the DERA option. Moreover, should Congress decide not to provide funding for the DERA program, there would be limited opportunity to invest in TSE. We know TSE is a cost-effective strategy to reduce NOx emissions and value this mitigation option.

Too often, drivers idle their engines during overnight stays in order to maintain a safe and comfortable cab interior environment. The practice takes place on a large scale and has a disproportionate impact on disadvantaged communities where truck stops and fleet terminals are often located. DERA's own guidelines flag the communities surrounding truck stops for programmatic priority. The Argonne National Laboratory (http://www.afdc.energy.gov/uploads/publication/hdv_idling_2015.pdf) estimates that rest-period idling wastes about 1 billion gallons of diesel and results in the emission of about 55,000 tons of nitrogen oxides released annually in the US. The EPA rates Truck Stop Electrification as the single most cost effective activity to mitigate mobile sources of NOx emissions (less than one third of the cost per ton achieved through diesel retrofits). See page 13 (<https://www3.epa.gov/otaq/stateresources/policy/general/420b07006.pdf>). Truck Stop Electrification, an EPA SmartWay verified technology, provides long-haul truck drivers an alternative to idling their diesel engines during their overnight stays. Significant NOX mitigation can be achieved through 1) installation of new TSE locations; and 2) TSE vouchers for truck drivers to encourage more truckers to use existing TSE facilities.

Again, we urge you to specifically list EPS/TSE infrastructure and TSE vouchers as eligible mitigation activities under Appendix D-2 of the settlement. This would afford beneficiaries maximum flexibility to achieve the settlement's goal of improving air quality in disadvantaged communities by reducing harmful diesel emissions.

Thank you for your consideration!

Sincerely,

Don Demko
Eco Travel Plaza

[REDACTED]

This would be very cost effective in increasing the usage at existing TSE locations. Millions of dollars were

underwritten by Federal grants are essentially now sit unused.

Forward old email to another address with Email Forwarder for Gmail.

This email was sent via the Google Forms Add-on.

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 6:35:07 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
U.S. Department of Justice

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Dear Mr. Cruden:

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Linda Denney

████████████████████
State of Residence: ██████████
Company Name: Husky Expedited Freight
Truck Engine Model Year: Cat. KW T600 2007
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Autsa Detrongsa
Print Name


Sign Name

07/26/2016
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):
IF MORE IDLE AIR is available across the country,
i would defenitly use more

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 6:42:05 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Dana Devaughn

State of Residence: 
Company Name:
Truck Engine Model Year: Cummins
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:34:37 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Thank you.

Sincerely,

James Devine

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 5:03:18 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
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Environment and Natural Resources Division
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Thank you.

Sincerely,

Ripudaman Dhamrait

State of Residence: [REDACTED]

Company Name: Hgc

Truck Engine Model Year: Detroit 2017. Dd15

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 1:45:41 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
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Thank you.

Sincerely,

Mark Dille Jr

State of Residence: [REDACTED]

Company Name: Van Wyk

Truck Engine Model Year: 2015 volvo D13

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 2:10:54 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Tim Dodge

████████████████████
State of Residence: ██████████
Company Name: Navl
Truck Engine Model Year: 2009
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/25/2016 1:14:12 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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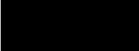
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Thank you.

Sincerely,

Daniel Doggett

State of Residence: 
Company Name:
Truck Engine Model Year: Dd16 2013
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:14:30 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

James Donovan

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year:

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/29/2016 12:09:15 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

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Thank you.

Sincerely,

Ken Doyle

[REDACTED]
State of Residence: [REDACTED]
Company Name: mercer transportation
Truck Engine Model Year: 2012
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Eric Drake
Print Name

[Signature]
Sign Name

8-3-16
Date

[Redacted]
State of Residence (optional)

2006
Truck Engine Model Year (optional)

Drake Transport Express, LLC
Company Name (optional)

Email (optional)

Comments (optional):
[Empty box]

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/26/2016 4:00:09 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
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Thank you.

Sincerely,

Danny dubois

State of Residence: [REDACTED]
Company Name: Dan D transport
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 8:36:12 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Ricky Dunnam

State of Residence: [REDACTED]
Company Name: Dunnam Trucking
Truck Engine Model Year: 2015
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 11:07:26 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

john duran

████████████████████
State of Residence: █████

Company Name: n.f.i.

Truck Engine Model Year: 15 ltr. 2010

Additional Comments: Need more idle aire locations again

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/24/2016 11:13:46 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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
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Thank you.

Sincerely,

Ramon Duran

State of Residence: 
Company Name:
Truck Engine Model Year: D13 Volvo
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/24/2016 11:21:55 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

William DUryea

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year: 2010

Additional Comments: Idle Air reduces allows drivers to rest comfortably and sleep undisturbed.

From: IdleAir Trucking Company Customer
To: ENRD, PUBCOMMENT-EES (ENRD); Fleets
Sent: 8/1/2016 11:38:35 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, & Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

As a trucking company, we find our drivers often have to idle their truck engines overnight while complying with DOT Hours of Service requirements and maintaining a safe and comfortable environment while resting.

We consider expanding the availability of truck stop electrification, or providing vouchers to pay for the service, essential in addressing the needs of our drivers and in decreasing the need to idle our trucks.

Thank you.

Sincerely,

Stacy Earnhardt
Director of Fleet Maintenance
Best Logistics Group
Email:
Number of Truck Drivers: 290
US DOT #:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 2:15:35 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Curtis Edwards

██████████
State of Residence: ██████
Company Name: Crete
Truck Engine Model Year: 2016
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/24/2016 4:41:35 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Shane Edwards

[REDACTED]
State of Residence: [REDACTED]
Company Name: LFD TRUCKING LLC
Truck Engine Model Year: 1991
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Kenneth R Ehlen SR
Print Name

[Signature]
Sign Name

7-31-16
Date

[Redacted]
State of Residence (optional)

Cat 2004
Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 5:34:05 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

David Elliott

████████████████████
State of Residence: ██████████
Company Name: Elliott trucking
Truck Engine Model Year: 2017
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Robert H. Ellis
Print Name

R. H. Ellis
Sign Name

7-29-16
Date

[Redacted]
State of Residence (optional)

2013 Cummins ISX
Truck Engine Model Year (optional)

A+S Kinard, Owner operator
Company Name (optional)

[Redacted]
Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/22/2016 9:28:41 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

John Elliss

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:08:47 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Grace Enns

State of Residence: [REDACTED]

Company Name: [REDACTED]

Truck Engine Model Year:

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 5:03:31 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

John Ernst

████████████████████
State of Residence: ██████████

Company Name: CR England

Truck Engine Model Year: Dd15 2012

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:52:07 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Cornelius Errar

State of Residence: [REDACTED]

Company Name: Landstar

Truck Engine Model Year: Cummings 2009

Additional Comments: Presently there are none south of atlanta ga.. Its needed the more south you travel..

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Jason Esquivel
Print Name

[Signature]
Sign Name

07/27/16
Date

[Redacted]
State of Residence (optional)

2016
Truck Engine Model Year (optional)

XPO Logistics
Company Name (optional)

[Redacted]
Email (optional)

Comments (optional):
This IdleTire service is great. More locations
like this are needed.

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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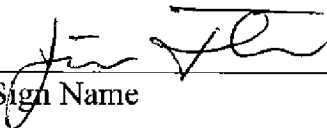
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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Jim Foranham
Print Name


Sign Name

8-4-14
Date

State of Residence (optional)

Truck Engine Model Year (optional)

Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 9:44:03 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Michael Felton

[REDACTED]
State of Residence:
Company Name: Werner Enterprises
Truck Engine Model Year: 2012
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

SALLY FEINON
Print Name

[Signature]
Sign Name

7-23-16
Date

[Redacted]
State of Residence (optional)

Kia F-680 ISX MOTOR
Truck Engine Model Year (optional)

[Redacted]
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 4:05:33 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Gregory Ferrell

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2012
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 6:29:29 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Alfredo Ferrer

State of Residence: ■
Company Name:
Truck Engine Model Year: Freightliner 2004 detroi
Additional Comments: Estoy de acuerdo

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 8:09:13 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

richard ferri

State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2008 xat
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

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Thank you.

Sincerely,

Troy Ferris

Print Name

T Ferris

Sign Name

8/2/16

Date

[Redacted]

State of Residence (optional)

Catapilar 2000

Truck Engine Model Year (optional)

Landstar

Company Name (optional)

[Redacted]

Email (optional)

Comments (optional):

[Empty box for comments]

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:38:26 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

William Finley III

State of Residence: [REDACTED]

Company Name:

Truck Engine Model Year:

Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 2:08:27 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Assistant Attorney General:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Don Fleischman

████████████████████
State of Residence: ██████
Company Name: DGF & Associates, Inc.
Truck Engine Model Year: C15
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/27/2016 10:16:22 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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Thank you.

Sincerely,

Scot Fletcher

[REDACTED]
State of Residence: [REDACTED]
Company Name:
Truck Engine Model Year: 2000
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/21/2016 3:02:36 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

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Thank you.

Sincerely,

Ted Flores

State of Residence:
Company Name:
Truck Engine Model Year:
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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Appendix D-2 of the VW settlement.

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for resting.

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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Robert Foxworth
Print Name

Robert Foxworth
Sign Name

7-26-16
Date

[REDACTED]
State of Residence (optional)

Truck Engine Model Year (optional)

Western Express
Company Name (optional)

Email (optional)

Comments (optional):

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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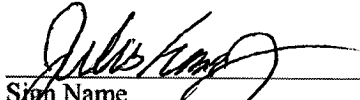
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for resting.

I would gladly use more truck stop electrification services if there were more available in the
places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Julius Franklin
Print Name


Sign Name

7/22/2016
Date


State of Residence (optional)

C15 Cat
Truck Engine Model Year (optional)

S+J Express
Company Name (optional)

Email (optional)

Comments (optional):

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 7:06:29 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.


I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Joseph Frazier

State of Residence: 
Company Name:
Truck Engine Model Year:
Additional Comments:

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 8/1/2016 7:44:55 AM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Pat French

[REDACTED]
State of Residence: [REDACTED]
Company Name: Quality Carriers, Inc.
Truck Engine Model Year:
Additional Comments:

From: IdleAir Trucking Company Customer
To: ENRD, PUBCOMMENT-EES (ENRD); Fleets
Sent: 8/3/2016 12:54:38 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, & Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

Please consider adding Truck Stop Electrification as an Eligible Mitigation Technology in Appendix D-2 of the VW settlement.

As a trucking company, we find our drivers often have to idle their truck engines overnight while complying with DOT Hours of Service requirements and maintaining a safe and comfortable environment while resting.

We consider expanding the availability of truck stop electrification, or providing vouchers to pay for the service, essential in addressing the needs of our drivers and in decreasing the need to idle our trucks.

Thank you.

Sincerely,

Pat French
Manager of Driver Services
Quality Carriers, Inc.
Email: [REDACTED]
Number of Truck Drivers: 2500
US DOT #: 76600

From: IdleAir
To: ENRD, PUBCOMMENT-EES (ENRD); info@idleair.com
Sent: 7/28/2016 1:03:28 PM
Subject: re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

Re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation, Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

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I am a professional truck driver. Too often, I must idle my truck engine overnight to comply with DOT Hours of Service requirements while maintaining a safe and comfortable environment for resting.

I would gladly use more truck stop electrification services if there were more available in the places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

Kevin Fretty

[REDACTED]
State of Residence: [REDACTED]
Company Name: Jehovah logistics LLC
Truck Engine Model Year: 1997
Additional Comments:

John C. Cruden Esq.
Assistant Attorney General
Environment and Natural Resources Division
U.S. Department of Justice

In re: Volkswagen "Clean Diesel" Marketing, Sales Practices, and Products Liability Litigation,
Case No: MDL No. 2672 CRB (JSC), and D.J. Ref. No. 90-5-2-1-11386.

Dear Mr. Cruden:

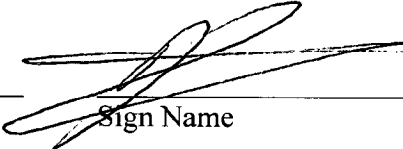
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places I rest overnight or if I had vouchers to help pay for the service.

Thank you.

Sincerely,

KLAS FRIESEN 
Print Name Sign Name

Aug 3, 2016 
Date State of Residence (optional)

2015 FRHT LONGHORN
Truck Engine Model Year (optional) Company Name (optional)


Email (optional)

Comments (optional):