

**UNITED STATES JUDICIAL PANEL**  
**on**  
**MULTIDISTRICT LITIGATION**

**IN RE: GENERAL MOTORS LLC  
IGNITION SWITCH LITIGATION**

MDL No. 2543

**ORDER VACATING CONDITIONAL TRANSFER ORDER**

**Before the Panel:**\* *Pro se* plaintiff in the action listed on Schedule A (*Myers*) moves under Panel Rule 7.1 to vacate our order conditionally transferring the action to MDL No. 2543. Responding defendant General Motors LLC (“General Motors”) opposes the motion to vacate.

The actions in MDL No. 2543 involve factual questions arising from an alleged defect in certain General Motors vehicles that causes the vehicle’s ignition switch to move unintentionally from the ‘run’ position to the ‘accessory’ or ‘off’ position.<sup>1</sup> *See In re: General Motors LLC Ignition Switch Litig.*, 26 F. Supp. 3d 1390, 1391 (J.P.M.L. 2014).

Plaintiff alleges that his 2002 Chevrolet Impala caught fire while he was driving, and the vehicle was destroyed. He alleges that “the vehicle suddenly ignited in a golf [sic] of flames right in the middle of the highway.” He also alleges that General Motors knew about “the ignition switch defect” two months before a recall. While his complaint mentions a recall for an ignition switch defect, the attached recall notice states, “According to our records, as of August 2017, service has not been completed on the following open recall(s) for your Chevrolet Impala: 15757 under hood fire.” This recall is not related to the ignition switch recall at issue in MDL No. 2543. While plaintiff mentions the alleged ignition switch defect, he does not allege, as plaintiffs in MDL No. 2543 do, that his vehicle experienced an unexpected shut off, lost control, or that his airbags failed to deploy. Plaintiff’s statement that his vehicle “ignited” suggests that he misunderstood the meaning of the ignition switch recall, and that his vehicle did not experience the defect at issue in the MDL. In these circumstances, we are reluctant to include his case in centralized proceedings.

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\* Certain Panel members who could be members of the putative classes in this docket have renounced their participation in these classes and have participated in the decision.

<sup>1</sup> While MDL No. 2543 initially included only actions asserting economic damages, it has been expanded to include personal injury and wrongful death actions.

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IT IS THEREFORE ORDERED that the Panel's conditional transfer order designated as "CTO-116" is vacated insofar as it relates to this action.

PANEL ON MULTIDISTRICT LITIGATION



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Sarah S. Vance

Chair

Marjorie O. Rendell

Lewis A. Kaplan

R. David Proctor

Charles R. Breyer

Ellen Segal Huvelle

Catherine D. Perry

**IN RE: GENERAL MOTORS LLC  
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MDL No. 2543

**SCHEDULE A**

Northern District of West Virginia

MYERS v. GENERAL MOTORS, C.A. No. 3:17-00122