

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

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

MDL No. 2543

**TRANSFER ORDER**

**Before the Panel:**\* Pursuant to 28 U.S.C. § 1407(c), defendant General Motors LLC moves to transfer the present action listed on Schedule A (*Elliott*) to MDL No. 2543. Plaintiffs support transfer of their ignition switch defect claims, but request separation and remand of their claims regarding fuel pumps.

After considering all argument of counsel, we find this action involves common questions of fact with the actions previously transferred to MDL No. 2543, and that transfer of the action in its entirety will serve the convenience of the parties and witnesses and promote the just and efficient conduct of the litigation. Like many of the already-centralized actions, *Elliott* involves factual questions arising from allegations stemming 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.*, \_\_\_ F. Supp. 2d \_\_\_, 2014 WL 2616819, at \*1 (J.P.M.L. Jun. 9, 2014).

*Elliott* also involves an alleged defect in the fuel pump of certain General Motors vehicles. Plaintiffs request that the claims regarding the fuel pump be separated and remanded to District of District of Columbia. Despite plaintiffs' assertion that their ignition switch and fuel pump defect claims are asserted independently, separation of these claims would be difficult. In almost all claims in the *Elliott* complaint, plaintiffs allege a pattern and practice of concealment of safety defects by General Motors, including both the ignition switch and fuel pump defects. While our initial intent was to limit MDL No. 2543 to cases alleging only an ignition switch defect, several actions have been brought with similar general claims that inhibit separation of claims. Given that discovery and pretrial proceedings likely will overlap concerning the ignition switch defect and general allegations that

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\* Judge Ellen Segal Huvelle took no part in the decision of this matter. 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.

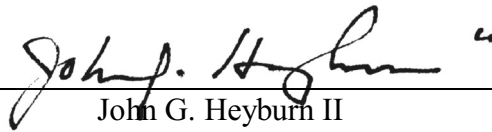
<sup>1</sup> While MDL No. 2543 initially included only actions asserting economic damages, it has been expanded to include personal injury and wrongful death actions.

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General Motors concealed safety defects, we are persuaded that transfer of all plaintiffs' claims will promote efficiencies in this action and in MDL No. 2543.

IT IS THEREFORE ORDERED that pursuant to 28 U.S.C. § 1407, this action is transferred to the Southern District of New York and, with the consent of that court, assigned to the Honorable Jesse M. Furman for inclusion in the coordinated or consolidated pretrial proceedings.

PANEL ON MULTIDISTRICT LITIGATION

A handwritten signature in black ink, reading "John G. Heyburn II", is written above a horizontal line. The signature is cursive and includes a small mark at the end.

John G. Heyburn II  
Chairman

Marjorie O. Rendell  
Lewis A. Kaplan  
R. David Proctor

Charles R. Breyer  
Sarah S. Vance

**IN RE: GENERAL MOTORS LLC  
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**SCHEDULE A**

District of District of Columbia

ELLIOTT, ET AL. V. GENERAL MOTORS LLC, C.A. No. 1:14-00691