



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH LITIGATION

14-MD-2543 (JMF)
14-MC-2543 (JMF)

This Document Relates to All Actions

ORDER NO. 35

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[Classification System for “Severe” and “Mild to Moderate” Personal Injury Claims]

1. To further the goal of effective and efficient case management in this MDL proceeding, the Court established a bellwether trial plan for eligible personal injury and wrongful death claims based on alleged defects in vehicles manufactured by General Motors LLC or General Motors Corporation. (*See* Order No. 25.) The bellwether trial plan consists of claims from three categories:

Category 1: Wrongful death claims involving Production Part Vehicles with airbag non-deployment.

Category 2: Severe personal injury claims involving Production Part Vehicles with airbag non-deployment.

Category 3: Mild to moderate personal injury claims involving Production Part Vehicles with airbag non-deployment.

(Order No. 34.)

2. The Court ordered the parties to meet and confer regarding “the classification system for distinguishing between ‘severe’ and ‘mild to moderate’ personal injury claims.” (*Id.*) After conferring, the parties agreed upon a classification system for such personal injury claims. After due consideration, the Court approves and adopts the parties’ proposed classification of claims.

3. For the bellwether trial plan for personal injury and wrongful death cases, a claim involving any of the following types of injuries shall be eligible for inclusion in Category 2: skeletal or bone fracture requiring surgery; spinal injury requiring surgery; traumatic brain injury resulting in a Glasgow Coma Scale score of 12 or lower; limb amputation; cut or laceration resulting in permanent and significant scars or disfigurement; second or third degree burns on more than 10 percent of the body; paraplegia; quadriplegia; blindness or vision impairment lasting for one week or more; brachial plexus injury; or nerve damage or other medically diagnosed injury that (a) prevents the injured person from performing substantially all of the material acts that constitute such person’s usual and customary daily activities, or (b) results in the loss or limitation of a body function or system.

4. A claim involving an injury other than one listed in Paragraph 3 shall be eligible for inclusion in Category 3.

SO ORDERED

Dated: February 17, 2015
New York, New York



JESSE M. FURMAN
United States District Judge