

Bailey Glasser Prevails in Volkswagen “Clean Diesel” Litigation, Secures \$96.5 Million Settlement

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The MDL Plaintiffs’ Steering Committee leading the Volkswagen “Clean Diesel” litigation announced they reached an agreement with Volkswagen for \$96.5 million to settle claims from consumers alleging the auto giant overstated the fuel economy of certain vehicles.

Serving alongside 19 other lawyers, Bailey Glasser Founder Ben Bailey was a member of the Plaintiffs’ Steering Committee with Elizabeth Cabraser of Lieff Cabraser, based in San Francisco, serving as the Plaintiff’s lead counsel.

The deal covers approximately 98,000 Volkswagen gasoline-powered vehicles, which actually obtained about 1 mile per gallon less than what was originally represented to consumers. The vehicles included software designed to cheat emissions testing by showing acceptable nitrogen oxide (NOx) emissions during laboratory tests prescribed by the Clean Air Act, while far exceeding those emissions in real-world driving. Nitrogen oxides are a family of poisonous, highly reactive gases, and play a major role in the smog problems across the United States. The settlement would reimburse US consumers who bought or leased certain Volkswagen, Audi, Porsche, and Bentley vehicles from model years 2013 to 2017 with allegedly overstated fuel economy ratings that downplayed actual carbon dioxide emissions.

“This agreement is a very positive development, and it creates an opportunity for Volkswagen to begin to right the wrongs it committed,” says Bailey. “I’m thrilled that the class can begin to receive compensation for what happened.”

The lawsuit was brought against the defendants under the federal Racketeer Influenced and Corrupt Organizations Act (RICO), the Magnuson-Moss Warranty Act, and the warranty and consumer protection laws of all 50 states and the District of Columbia, seeking monetary damages and injunctive relief. Potential claimants under the class settlement will have to submit a claim to receive compensation.

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Attorneys

Benjamin L. Bailey

Practice Areas

Automotive

MDL Panels

Product Liability